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The  
Latin American Policy  
of the United States

*An Historical Interpretation*

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## Preface

THIS book is just what the title indicates: an historical interpretation of the Latin American policy of the United States. Despite the capital importance of this subject in diplomatic history and in contemporary foreign policy, no one hitherto has attempted to trace its evolution from the independence of the nation to the present world crisis in power and politics. Dexter Perkins's well-known and adequate studies limit themselves to the Monroe Doctrine. William Spence Robertson's excellent *Latin-American Relations with the United States* covers the period only up to the First World War and does not profess to trace or interpret the evolution of United States policy. The same is true of works like Graham H. Stuart's *Latin America and the United States*. I am trying to provide in one volume a history of our Latin American policy.

I am aware, of course, that there are those who would aver that the Republic's foreign policy cannot be broken down into regions like Europe, the Far East, and Latin America. History, I suggest, does not bear them out. However much it might be desired to encompass the whole world with today's Good Neighbor Policy, as already worked out in this Hemisphere, certainly in the past the Latin American policy of the United States has had a conspicuous regional basis. It is enough merely to mention the No-Transfer Resolution, the Monroe Doctrine, Manifest Destiny, the Roosevelt Corollary, Pan Americanism, the Panama Policy, the Doctrine of Nonintervention, the Good Neighbor Policy itself, now globally professed.

Historically the Latin American policy of the United States has been based on the nation's own independence under a republican form of government, on its Manifest Destiny (i.e., freedom for expansion through an empty continent to the other ocean), and on security for the resulting Continental Republic which is the greatest single achievement of American nationalism. These fundamentals naturally favored independence for the whole New World, republican self-government for the new states, opposition to European intervention in their affairs, termination as soon as possible of remaining European sovereignties in

the Western Hemisphere, and political solidarity of the nations of the New World against the imperialistic powers of the Old World.

Amidst the new order of sea power and world politics that appeared at the end of the nineteenth century, a concern for the security of the Continental Republic and naval communications between its two populous seacoasts led to a series of interventions by the United States itself within the sovereignties of the independent republics of the Caribbean and in certain states of Central America. These interventions led to a short-lived benevolent imperialism that disappeared as soon as the European danger seemed to vanish after Versailles. The liquidation of this ill-fitting imperialism and the resulting Good Neighbor Policy came just in time to make possible inter-American solidarity in defense of independence and liberty when the danger suddenly appeared again, this time from across both oceans.

Today the security of the United States has become identified with the security and welfare of the whole New World defending itself under the leadership of the Continental Republic against the portentous unbalance of power in Europe and Asia and the alliance of the conquering empires of Germany and Japan. To explain how the Latin American policy of the United States has developed from a continental basis in North America and adjusted itself to a Continental basis in the hemispheric sense of the word is the purpose of this history.

The historical evolution of the proper adjective American has made it, without arrogation, synonymous, at least in the English-speaking world, with the less euphonious adjective United States. In these pages I am employing the word American according to its accepted usage and meaning in English, and sometimes also, when the text is clear, in its hemispheric sense. If this work should be translated into Portuguese or Spanish I would expect the adjective when meaning United States to be rendered *norteamericano*, or even *estadunidense*, whichever be preferred.

The printed source materials and the secondary literature bearing on the subject have been indicated in Bemis and Griffin's *Guide to the Diplomatic History of the United States, 1775-1921*, published by the Library of Congress in 1935. Since 1935 the *Handbook of Latin American Studies*, published annually by the Committee on Latin American Studies of the American Council of Learned Societies, presents all the new material, rapidly expanding. The appearance, as this work goes to press, of an initial volume of what, let us hope, will become a regular inter-American yearbook, *Inter-American Affairs*, under the capable

editorship of Professor Arthur P. Whitaker, gives current bibliographical notes to its admirable summaries of political, diplomatic, economic, and cultural relationships. Therefore it is unnecessary to append a formal bibliography to my volume. Relying on these aids I have left a bare trace of the documentation, both printed and unprinted, on which my work is based. Wartime requirements of space and printing economy cause most of these notes to be placed in the rear of the book. For this arrangement I ask the reader's indulgence.

A publication of the Carnegie Endowment for International Peace which every student of Inter-American relations finds indispensable is *The International Conferences of American States, 1888-1928*, a Collection of the Conventions, Recommendations, Resolutions, Reports, and Motions adopted by the First Six International Conferences of the American States, and Documents relating to the Organization of the Conferences, New York, 1931, and *ibid.*, *First Supplement, 1933-1940*, New York, 1940. To these volumes, or to the Spanish editions of them, the reader is referred for the inter-American acts of that period, 1888-1940, which are cited in this history. It is understood that further supplements will carry the collection beyond 1940.

In presenting this book I must tell how much other people have helped me get it ready. First there were institutions with their eager staffs, like the Library of Congress, including the Division of Manuscripts and the Hispanic Foundation; the Columbus Memorial Library; the Sterling Memorial Library of Yale University; the Yale Institute of Human Relations; the Carnegie Endowment for International Peace; the Pan American Union; the National Archives; the Department of State, including many foreign service officers who assisted me in Latin America. Then there were various publishers, like Farrar and Rinehart and Company, the Harvard University Press, Henry Holt and Company, Alfred A. Knopf, Little, Brown and Company, and John Wiley and Sons, Inc., who allowed me to reproduce certain material. Finally there were numerous friends, colleagues, fellow students, whom I can only mention generally, for whose interest, time and suggestions I am grateful.

Professor Frederick Sherwood Dunn, Director of the Yale Institute of International Studies, which sponsored this study and assisted it materially, read the entire work with great patience and application, and made most valuable suggestions and criticisms. Professor Dexter Perkins has read the entire manuscript and afforded me the benefit of his erudition in the field that he has mastered so matchlessly. Professor

Julius W. Pratt read it all, too, and gave me the advantage of comments out of his unrivaled knowledge of American expansion. My learned colleague, Professor Edwin M. Borchard, read the chapters dealing with international law and other chapters. Mr. Robert W. Galvin drafted most of the maps. Dr. John H. Adler assembled the statistics for Chapters XVII and XX. I wish I could do more than merely enumerate the other people to whom I make acknowledgment: José Arrom, Richard F. Behrendt, Helen C. Boatfield, S. Whittemore Boggs, George A. Buendía, Charles S. Campbell, Jr., Victor J. Farrar, Margaret S. Feaver, Grace Gardner Griffin, A. Whitney Griswold, Ellsworth Huntington, Preston A. James, Benjamin Keen, Dorothy M. Louraine, Constantine E. McGuire, James J. McTernan, Jr., Lawrence Martin, Phoebe Morrison, Harley Notter, Barbara Bool Oliver, Carlton Savage, St. George L. Sioussat, E. Wilder Spaulding, Nicholas J. Spykman, George H. E. Smith, Francis White, Dorothy W. White, A. Curtis Wilgus.

An appointment of the Carnegie Endowment for International Peace enabled me to travel in Latin America in the years 1937-1938 as Carnegie Visiting Professor. This book reflects, of course, only my own conclusions.

My father, Charles H. Bemis, helped me read the proof and made stylistic suggestions.

S. F. B.

*January 25, 1943.*  
*Yale University*

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# The Latin American Policy of the United States

AN HISTORICAL INTERPRETATION



## CHAPTER I

### *Introduction*

#### *Latitude and Altitude*<sup>1</sup>

THE purpose of this book is to trace and interpret the Latin American policy of the United States from the independence of the New World to the Second World War. No historical interpretation can ignore fundamental conditioning factors of altitude and latitude on the twenty-one independent, sovereign, and juridically equal republics and their peoples. These factors tend to separate what the human spirit tries to bring together in a common front of liberty. They are the mountains which faith must move. Let us see them as simply as possible right away and keep them continually in view from the beginning to the end of this history.

Before we consider the geographical relationship of North America and South America to each other it is well to recall their relationship to Asia, Europe, and Africa. In the northernmost latitudes the New World is really very close to the Old World. Siberia lies nearly in sight of Alaska across Bering Strait. The Aleutians almost chain together Asia and North America, and it was along these islands that our first inhabitants reached this continent. The first visitors from Europe to North America also came by way of short water passages between islands in northern latitudes: from Norway to the Orkneys, to Iceland, to Greenland, to the continent. Nor is South America so far from Europe and Africa as most North Americans conceived it to be before the age of aerial navigation. From the westernmost point of Africa to the eastern bulge of Brazil is but eighteen hundred miles, and here the Portuguese voyagers to India accidentally touched America on their way around Africa in 1500; Cabral would have discovered the New World then if Columbus had not found it in 1492. Nevertheless, separation of the



MAP 1. NORTH AND SOUTH AMERICA IN RELATION

two hemispheres in the habitable latitudes was so pronounced as to keep them unknown to each other until nearly a thousand years ago, and without historical significance to each other or influence on each other until nearly five hundred years ago.

In terms of longitude the axis of the New World runs along the line Montreal-New York-Guantánamo-Panama-Lima-Santiago. From this axis, South America, hinging on the Andes, extends its vast lowlands far to the eastward; North America swings oppositely far westward. Thanks to the Panama Canal, the entire west coast of South America and the northern shore of that continent are much closer to both coasts of the United States than to any other landmass. On the other hand, the southeastern shore of South America, from Cape San Roque to the Plata River region, is as close (or almost as close) to Europe as to



TO EACH OTHER AND TO EUROPE, AFRICA AND ASIA

the United States, and, of course, much nearer to Africa than to either. The longitudinal relationship of the New World to the Old also emphasizes the extreme separation of South America from Asia. They scarcely appear together on the same hemisphere.

North America and South America seem at first to have a certain symmetry and even similarity. Both are widest in the north. Both taper off to the south. Both have new high cordilleras thrown up on their western edges. Both have geologically old blocks of land rising in the east. Both have great interior valleys with continental drainage. Even in shape they are not altogether dissimilar, particularly when seen on a globe rather than on a Mercator projection.

Such a superficial similarity is deceptive. A vast and fundamental difference exists between the two continents; that is their respective lati-



tudes. The widest part of North America lies in the arctic and subarctic, the narrowest part in the tropics and subtropics. The widest part of South America is in the tropics—almost on the equator, in fact; the narrowing part falls in the subtropics; only tapering Argentina and Chile are left in the temperate zone, and, of those parts, the southern extremities are bleak and barren.

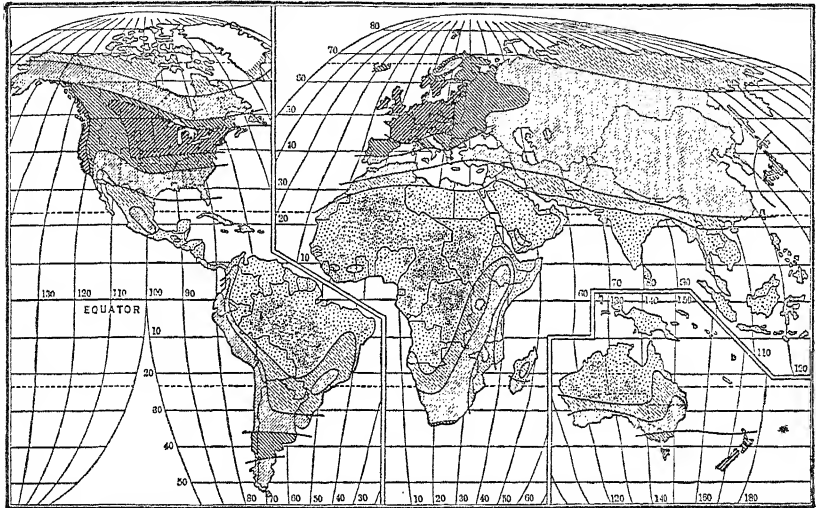
This fundamental difference is all the more striking when we compare the interiors of the northern and southern continents as dwelling places for civilized man. In South America the heart of the continent is the Amazon Valley, least favored for human abode of all great expanses of non-arid and non-arctic land. In North America the heart of the continent is the upper Mississippi Valley and the Great Lakes region, choicest area on the globe for the habitation and sustenance of civilization: fertile, rich in varied natural resources including food, fuel, minerals and waterpower, combined with easy resources of transportation; and—most important—endowed with a climatological optimum for man, so necessary for the best of human health, physical and mental energy, and social progress. One of the great natural handicaps of what we call Latin America\* is that it has no share at all of the climatological optimum. Only in a belt of land across Chile and Argentina, of which the northern boundary is the latitude of Buenos Aires, do we find a second-best zone of climatic energy.

It is a scientific fact of political, economic, and social geography, that the areas of best and of second-best climatic energy coincide geographically with the more impressive evidences of human civilization, such as maximum wheat yield, maximum of professional occupations, maximum of industrial production, greatest number of schools and colleges, of automobiles and of telephones per capita, maximum of railway networks,<sup>2</sup> and best human health. All these imply social progress and political stability. There are striking exceptions to this index, such as some of the fine arts; but on the whole we cannot escape the conclusion that favorable climate is a necessary basis of modern civilization.

\* The words Latin America and Latin Americans have come to supersede the descriptions Hispanic America and Hispanic Americans because not only Brazilians but also a majority of other Latin Americans resent the political implications of Hispanic America and Hispanicism. Latin America is more suggestive of a general regional description that includes completely sovereign states. Compare Latin Europe and Latin Europeans.

People in the United States and even Canada dislike similarly the use, by a certain school of historians, of the words Anglo-America and Anglo-Americans to describe the United States or Canada, or their respective peoples.






If the lowland tropics still present a barrier to white populations,<sup>3</sup> as the best of scientific opinion would suggest, we must reckon with this fact in any analysis of Latin America. In vast tropical low regions of the southern continent civilization may be expected to develop, if at all, on some other than a pure Caucasian basis.<sup>4</sup> It should be remembered that in pre-Columbian days the most advanced culture of South America



Goode's Homologous Equal-Area Projection; Copyright, The University of Chicago Press.

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MAP 2. DISTRIBUTION OF CLIMATIC ENERGY

-  OPTIMUM
-  HIGH
-  MEDIUM
-  LOW
-  VERY LOW

was limited to the tropical highlands and to occasional fertile river valleys on the tempered western coast where the air was cooled by the Humboldt Current. Peru had both, and the favored highlands extended into modern Bolivia, Ecuador and Colombia. In those more hospitable regions—as on the Mexican *altiplano*—it was neither too hot for vigorous enterprise nor too cold to live without artificial warmth.

Not only do tropical lowlands present a barrier to white civilization; it is at least an open question whether today any advancing civilization, white, yellow, red, or brown, can develop or even endure in the unmitigated heat of the tropics; none has done so yet. In South America the cultural fruitage of human energy has been limited to the tapering temperate region, to the tropical highlands and to the cooler fringes of

the sea. In North America neither Canada nor the United States, nor the Mexican plateau suffers from tropical impairment, although—except for Mexico—they have their barriers of cold. In temperature, North America and South America differ from each other as much as, if not more than, do Europe and Africa, northern Asia and India. It is a fundamental climatological fact that human science cannot overcome for a long time if ever.

If the continents of the New World, even in their temperate latitudes, are so different, each is also divided within itself by geographical obstructions, differences more pronounced in South America than in North America. In North America the mountain ranges and lowland regions have had comparatively little influence in separating nation from nation; in South America they have had a profound and enduring effect, both during the colonial regime, and in the national period of the last hundred years. This is partly because of certain familiar historical reasons, but principally because of the different latitudes of the two continents. When the land lies altogether in a temperate zone, the geographical division of mountains and lowlands is not such a permanent barrier to the uniform settlement of a new continent by civilized people living through freezing winters in heated houses. Therefore geographical barriers have not served much as national frontiers in North America, although rivers and lakes, as well as lines of longitude and latitude, have made convenient boundaries when political forces have divided homogeneous areas.

In South America, on the other hand, the falling of the land into highlands and lowlands is not only more pronounced in its sudden variations of altitude and of rainfall, but the location of by far the greater part of the continent causes these changes in altitude to become also differences between temperate plateaus and hot tropical jungles—note in this respect the striking difference between the valleys of the Amazon and the Mississippi—a regional separation that has had a deep sociological effect since mankind first peopled the continent. The more abrupt character of the mountain ascents also delayed development of modern transportation and, in at least the case of Chile and Argentina, served, even in the temperate zone, as a natural and impressive geographical frontier.

Another fundamental difference between the two continents lies in the contrasting effect of amounts and variations of rainfall.

More rain falls on South America than on North America, but it falls mostly on the right places in North America and mostly on the wrong

places in South America. In North America the eastern seaboard west to the 100th meridian, north to include the St. Lawrence-Great Lakes basin, and south to the Gulf of Mexico, as well as the West Indies and Central America (exclusive of the highlands of Mexico), has an adequate supply of rain for staple crops, and there is enough in the western plains of the United States and southern Canada for dry wheat-farming and grazing. Deficiencies are mostly in the mountain states where rain is least useful.

Most rain falls on South America in the more uninhabitable regions of the tropical Amazon basin, and the least rain falls in the Andean highlands and on the Pacific coast, otherwise most habitable to man. Of the choice temperate regions only the Plata basin and central Chile get enough to support a thriving civilization; even there agriculture could well do with more rain, particularly in Chile. In much of South America, rain is highly seasonal: long rainy seasons alternate with long dry seasons, which is not so sustaining for staple crops as a more even distribution throughout the year. Generally good rainfall in North America combines with a large area of other desirable climatic conditions. In South America most abundant rainfall comes within a climatic zone of low human energy.<sup>5</sup> The result of this on crop yields, nutrition, health, and human vigor is profound. It exercises an ineluctable enervating effect on the peoples and governments of the tropical lowlands, and on their economy, sociology, culture, and politics, both national and international. They cannot get away from it.

Climatic differences between the continents of the New World, and within each of them, were a primary and controlling force in the racial history of the New World. They help to explain why North America, particularly the United States, now has a predominating (90%) white population, as contrasted with Central and South America, which present—except for the overwhelmingly white populations of southern Brazil, Uruguay, and Argentina—a predominating population of mixed blood estimated approximately as follows: aboriginal (18%), mestizo (30%), Negro and mulatto (20%).<sup>6</sup> This racial mixture has been a key factor in the central theme of Latin American history, the struggle for social and political order,<sup>7</sup> and it is a volatile element in the amalgam of inter-American solidarity.

The conquests of Mexico and Peru enabled Spain within a few decades to possess herself of the richest, the most populous and the most advanced parts of North America and of South America. From these citadels the conquerors more slowly advanced their power into

less comfortable climates and regions of both continents. In North America they crept up the western coast to Alaska, leaving, in the later eighteenth century, a few *presidios* and missions in California as far north as San Francisco. Overland they extended their effective authority northward to the dry plateaus of New Mexico and Arizona, to be stopped by the line of bitterly freezing winters. Eastward they penetrated the plains of Texas and established maritime connections with Florida and the islands of the Caribbean. During the war of the American Revolution, Spain completed a land bridge across Louisiana to Florida, but the native populations of the lower Mississippi Valley and their inferior culture produced no riches or temptations for further conquest before Spain was forced out of that region by the rival colonial powers, France and England, and finally by the United States.

From the very beginning the Isthmus of Panama was a nodal point of the Spanish Empire. It connected the first two great viceroyalties established in Mexico and Peru with the bases of sea power in the Caribbean, and thus with Spain. To some extent it linked the viceroyalties with each other, and it was the route of the conquerors from their Caribbean islands to South America. From the Andes they pushed their conquests down to the borders of the Amazonian jungle. Their boldest explorers could penetrate the jungle; they could not subdue it. Consequently Spanish power flowed around it to the flat and cooler pampas of the Plata River valley. From the Atlantic seacoast of South America—that is, the seacoast of present Brazil—Spain was excluded by her diplomatic agreements with Portugal dating from 1494, except during the period 1581-1640 when she possessed Portugal herself. In the Guianas, rival European powers secured dangerous and permanent footholds. The important fact for us to remember is that Spain, using the Caribbean islands and the Isthmus of Panama as bases, got a stranglehold on the neck of empire in the New World, and so was able to seize its riches, to cover over its native culture with a layer of western civilization, and to make slaves or serfs of millions of its most advanced aboriginal peoples.

The numerous Indians of much lower culture who existed beyond the reach of Spanish arms in the tropical lowlands did not count for much in the subjection of South America nor in its profitable exploitation. Nor have they been of primary importance in the cultural development of that continent since then. It may be a platitude to put it so simply, but altitude and latitude dictated first the ethnography of Latin America, facilitated Spanish conquest of the highlands and coastline

of the New World, and shaped the character of the empire there. On these fundamentals rest much of the structure of the present independent republics, their relations with each other, with the United States, and with the rest of the world.

There is, however, this to note by way of exception: the fortuitous Portuguese acquisition of the eastern coast, Brazil. It does not seem likely that the Spanish would have made the Pacific so exclusively their main avenue of conquest of South America had it not been for the treaty settlement at Tordesillas, in 1494, by which, with papal sanction, the monarchs of Spain and Portugal divided up the New World and the unknown regions of the globe by a demarcation line from pole to pole. This partition, never surveyed or precisely located, unintentionally resulted in reserving for Portugal an area which may be roughly described as the coast of South America from the mouth of the Orinoco to the mouth of the Plata. The Portuguese occupied this in coastal captaincies without deep initial penetration into the interior except in the salubrious highlands of the southeast.

Occupation of the coast of Brazil, so much closer to European enemies, made necessary not only a long defense against rival imperial powers approaching from the Atlantic; it imposed also a slow struggle against the climate and the jungle. Mineral riches in the hinterland were undiscovered before the end of the seventeenth century. The occupation of the subtropical *serião*—in the highlands of eastern Brazil—had to await the growth of a mestizo population. It was not until the seventeenth century that the aggressive slave-raiding and prospecting bands of frontier adventurers, the *bandeirantes*, stemming from São Paulo, penetrated the Amazonian basin from the watershed of the Paraná to the eastern slopes of the Andes, laying claims to the present western and southwestern boundary of Brazil, and beyond. Tidewater Brazil long remained a feebly developed plantation fringe resting in comparative poverty—as contrasted with the riches of the Spanish conquest—on slave labor; at first the slave labor of captured aborigines, who soon succumbed; then the enforced services of a swelling importation of African Negroes.

We have noted how the equable highlands of Central America and the Andean region produced a much more numerous population than could live in the freezing latitudes of the northern continent, and how climatic conditions raised these native peoples to an advanced culture under a despotic political organization. This made it easy for the Spaniards to gain control of the masses after conquering their leaders with

the use of modern weapons. Once the native population was subdued, the character of the Spanish conquest and colonial system put a premium on its survival not only because of the teachings of Christianity, but also because of the value of native man power. This was quite in contrast to the home-making settlers of the English colonies, to whom the nomadic natives were a nuisance and their disappearance a matter of gratulation.

The *conquistadores* came from Spain to seek their fortune in the shape of gold and silver and to return home with it as soon as possible. The Indians were indispensable, especially in working the mines in high altitudes. No other labor was at hand there. They served to transport goods and precious metals, where little other carriage was for a long time available. Since the conquerors came mostly without families, native women immediately attained an intimate place in their lives. Thus a mestizo population quickly developed in the highlands, much more numerous than the creole or American-born pure white group which at first was slow to increase in numbers, but on which the soundest progress has always rested both in South and in North America.

The mixing of blood eventually softened the severities of first conquest, and the Catholic Church cast its mantle of charity, of benevolence, and of civilizing influence over the provinces and held them to the fear of God and loyalty to the King who controlled the ecclesiastical patronage.<sup>8</sup> So it was in the most thickly populated regions of the Spanish colonial empire, the highlands of Mexico, Central America, Venezuela, Colombia, Ecuador, Peru, Bolivia, and northern Chile, that the native population, infeudated to Spanish and later to creole masters, continued to be the most numerous element until the heavy European immigration of the nineteenth and twentieth centuries.

The indigenous people survived in large fractions principally in those regions where their labors were most necessary to the whites. Of the 127,340,000 people to the south of the United States it is estimated approximately that at least 48% or 61,123,200 are of Indian blood in greater or less degree, although the percentage varies in each country. Approximately another 20% or 25,400,000 of the total population of Latin America is Negro or mulatto. Aboriginal blood is still the dominant ethnographic factor in Mexico, Central America (except for the highlands of Costa Rica), Venezuela, Colombia, Ecuador, Peru, Bolivia, and Paraguay. Negro blood is a powerful factor in the Caribbean nations. In Haiti it is 100%; in the Dominican Republic 75%, in Cuba at least 25%. Except for Costa Rica and Cuba, those countries of Latin

America where white populations predominate overwhelmingly, as in southern Brazil, Uruguay, and Argentina, are the regions of this hemisphere most distant from the United States. Most of our natural neighbors of the New World thus have the heaviest elements of aboriginal or negroid blood.

The geography and ethnography of Latin America and its colonial history have conspired to produce twenty independent republics. Only a few remnants of European sovereignty are left in the Caribbean and its fringes. These republics are all sovereign and juridically equal, at least in the concert of the New World. They are not all equal in culture, in economic development, in political stability, in military power, or in international responsibility. They vary, generally speaking, with the geographical divisions and heterogeneity of the continents, and the resulting ethnic character of their population. These conditioning factors of geography and ethnography have imposed upon the independent states of Latin America a continual struggle for order, both in their internal and their external affairs. Keeping altitude and latitude in mind we may now turn to the birth of independent nations in the New World and the beginnings of the Latin American policy of the United States.



## APPROXIMATE ESTIMATES OF RACIAL COMPOSITION OF LATIN

Country	Area Square Miles	Population		Racial Composition				Illiterate % of Pop- ulation of School Age and Over
		Total (1938)	Per Square Mile	White In % of the	Indian of the Total	Mestizo Population	Negro and/or Mulatto	
Mexico.....	760,372	19,500,000	26	7	45	45	3	60
Central America								
Guatemala.....	48,290	3,100,000	65	1	65	31	3	80
El Salvador.....	13,183	1,700,000	132	10	10	77	3	70
Honduras.....	46,332	1,000,000	22	3	9	85	3	70
Nicaragua.....	49,200	1,200,000	24	15	5	70	10	70
Costa Rica.....	23,000	650,000	28	70	4	20	6	32
Panama.....	34,170	600,000	17	12	8	61	19	60
West Indian Republics								
Cuba.....	44,164	4,200,000	96	70	..	5	25	40
Haiti.....	10,700	2,700,000	260	..	..	..	100	90
Dominican Republic.....	19,325	1,590,000	86	25	..	..	75	70
Northern South America								
Venezuela.....	393,976	3,600,000	10	10	10	70	10	70
Colombia.....	476,916	9,300,000	20	10	15	40	35	55
CARIBBEAN AREA.....	1,919,728	48,940,000	25	15	25	45	15	..
BRAZIL.....	3,286,170	44,000,000	14	40	2	18	40	70
Ecuador.....	275,936	3,000,000	11	5	70	20	5	75
Peru.....	482,133	7,000,000	15	8	55	36	1	75
Bolivia.....	419,470	3,300,000	8	8	55	37	..	75
Chile.....	286,396	5,000,000	16	30	5	65	..	55
SOUTH AMERICAN WEST COAST.	1,463,935	18,300,000	13	15	44.99	40	0.1	..
Argentina.....	1,079,965	13,000,000	12	88	2	10	..	25
Uruguay.....	72,153	2,100,000	29	86	2	12	..	20
Paraguay.....	154,165	1,000,000	6	3	5	92	..	70
LA PLATA AREA.....	1,306,283	16,100,000	12.5	82	3	15	..	..
LATIN AMERICA.....	7,976,116	127,340,000	16	32	18	30	20	..
CONTINENTAL UNITED STATES.	3,026,789	130,215,000	43	89.97	0.3	..	10	4

\* Practically all data concerning Latin America contained in this chart are of an approximate nature and based on estimates only. This applies particularly to the figures on population, its racial structure, and illiteracy. Considerable differences of opinion exist in some cases even among specialists. These tabulations were compiled

## AMERICA AND THE UNITED STATES, AND OTHER COMPARISONS \*

Value of Foreign Trade, 1938			Highways		Automobiles		Railways	
In 1000 Dollars	In Dollars per Capita	Chief Export Commodities, 1938	Miles (All- Weather Surfaces)	Miles per 1000 Sq. Mi. Area	Number 1940	Inhabit- ants per Auto	Miles per 1000 Sq. Mi. Area	
294,693	15.11	Silver, ores, oil	15,000	19.73	105,470	188	14,252	18.75
37,288	12.02	Coffee, bananas	3,000	62.5	4,241	718	600	12.50
20,093	11.81	Coffee, gold, silver	1,200	92.3	3,407	489	375	28.84
18,509	18.51	Bananas, gold, silver	400	8.69	1,371	729	641	13.93
11,004	11.00	Coffee, bananas, gold	500	10.2	805	1,408	395	8.95
22,767	35.02	Coffee, bananas, cocoa	400	17.39	3,994	154	321	13.95
25,320	42.20	Bananas, cocoa	800	23.52	12,579	44	372	10.94
248,685	59.21	Sugar, tobacco, ores	2,300	52.27	45,212	91	3,079	69.97
14,541	5.38	Coffee, cotton, sugar	500	50.00	2,589	1,000	158	15.8
25,689	17.12	Sugar, coffee, cocoa	500	26.31	2,650	597	145	7.63
375,932	104.42	Oil, coffee, cocoa	2,500	6.36	33,024	105	576	1.46
180,168	19.37	Coffee, oil, gold	4,200	8.82	11,954	253	1,987	4.17
1,273,004	26.01		31,300	16.31	228,299	215	22,865	11.91
590,937	13.43	Coffee, cotton, cocoa	15,000	4.56	181,000	239	20,571	6.26
23,679	7.89	Cocoa, ores, oil	1,600	5.81	3,602	765	761	2.76
135,033	19.29	Cotton, oil, copper	5,500	11.41	22,216	297	1,868	3.87
60,187	18.23	Tin, silver	1,000	2.38	1,983	1,728	1,399	3.33
244,063	48.81	Copper, nitrate	15,000	52.44	48,954	95	5,434	19.0
462,962	25.29		23,100	15.78	76,755	220	9,462	6.46
729,928	56.14	Cereals, linseed, meats	15,000	13.90	273,500	47	24,919	23.09
97,574	46.46	Wool, meats, hides	3,000	41.66	64,766	32	1,700	23.61
17,233	17.23	Cotton, quebracho ex- tracts, hides	300	1.94	2,150	435	752	4.88
844,735	52.46		18,300	14.01	340,416	48	27,371	20.95
3,171,638	24.90	Raw materials, foodstuffs	87,700	10.99	824,969	154	80,269	10.04
5,054,868	38.81	Machinery, petroleum, automobiles, cotton	3,065,000	1,012.00	30,041,392	4	248,000	82.50

by Professor Richard F. Behrendt, of the School of Inter-American Affairs of the University of New Mexico, and are supplied to me by the Division of Strategic Service of the Yale Institute of Human Relations. They are reprinted here with the permission of Professor Behrendt.

## CHAPTER II

### *Territorial Problems of North America and the No-Transfer Resolution of 1811 (1776-1811)*

#### I

THE Era of Emancipation, most dynamic half-century in the history of the modern world before our own times, was forged in the fires of three great revolutions. The Anglo-American Revolution, product of English political theory and the influence of the American frontier on colonial thought and action, established the independence of the United States in alliance with France. The North American Revolution served as a prelude to the French Revolution. This second revolution galvanized with the force of nationalism first the French people, then the other peoples of Europe, finally the whole world. It gave rise to two decades of wars which gripped the attention and energy of Great Britain and Spain and France in Europe and left the distant United States relatively uncudged on its continent to organize its nationality, to redeem its territorial integrity, then to follow its natural path of western expansion through an empty continent to the shores of the other ocean. Napoleon's invasion of Spain, a disruptive phase of those great wars in Europe, led to the third and final revolution of the era: the revolt of Spain's colonies in America and the independence of Latin America.

To understand the beginnings of the Latin American policy of the United States we must go back to the great territorial questions that arose in North America following the independence of the English colonies. During the Anglo-American Revolution, Spain as the ally of France but never of the United States—whose independence she would not recognize until Great Britain had done so—sought to keep the

boundaries of the new republic away from the Mississippi River and the Gulf of Mexico. After the war she contested the boundaries set up in the treaty of peace between the United States and Great Britain: the Mississippi River on the west, and the old boundary of former British Florida on the south. Spain contended that before the peace she had occupied "British" territory as far north as the Ohio River, not to mention Lake Michigan, that the limits of her new conquest of Florida had never been fixed with the United States. To make good her position she established garrisons on the lower Mississippi from the present Memphis south to New Orleans, and in the Mobile basin. She made alliances with the Indian tribes of the Old Southwest and furnished them with arms and ammunition to withstand the advance of white settlement from over the mountains. She intrigued with some of the Men of the Western Waters, those restless settlers in Kentucky and Tennessee of unsteady loyalty to the loose confederation of the thirteen sovereign states of the Atlantic seaboard, men to whom the Mississippi River was an economic if not a political life-line. 7

What Spain did in the Old Southwest, Great Britain did in the Old Northwest. The treaty of peace and independence had stipulated the withdrawal of British troops from American territory "with all convenient speed." The day before George III proclaimed the treaty and enjoined its strict observance upon each and every subject, he sent out to British North America secret orders not to evacuate the strategic posts south of the new boundary that dominated the river-and-lake frontier from Michilimackinac to Lake Champlain. British colonial officials continued close relations with their Indian allies between the Great Lakes and the Ohio River, stimulating their resistance to the movement of settlers westward from the seaboard States, supplying them with arms and ammunition, keeping them in reserve as a military instrument for the day when a rupture might come with the United States, this time without a European ally. British officers also tampered with the loyalty of American settlers in the upper Ohio and the Champlain watersheds, stressing the convenience to them of the St. Lawrence as an outlet to the sea.

In sinister symmetry these two great European monarchies and sea powers, Spain and Great Britain, thus completely encircled the feeble republic and encroached upon its western territory, overshadowing its very independence. It looked as though they might coop the United States up between the Allegheny Mountains and the sea. As long as Europe remained tranquil and neither great power was engrossed by

wars in the Old World, it was impossible for the weak Confederation of the thirteen states to dislodge such tremendous trespassers from its territories. But in the year 1789 two epochal events took place to make this possible.

In Europe the French Revolution broke out. In North America the new Government of the United States under the Constitution of 1787 and the presidency of General George Washington was inaugurated. A national government with adequate constitutional powers (but not military strength) took the place of the impotent congeries of States which had barely existed under the earlier Confederation. The French Revolution soon led to a train of wars that engulfed the nations of Europe and their colonial dominions overseas for the next quarter of a century. The British and Spanish Empires became involved first in 1793 as monarchical allies against republican France, then in 1796 as enemies against each other, and then again as allies throughout the tremendous cycle of wars that finally ended in 1815.

Europe's distresses were America's advantage. From the exigencies of the encircling powers, President Washington extracted his own country's salvation. In two notable treaties, Jay's Treaty of 1794 with Great Britain, and Pinckney's Treaty of 1795 with Spain, he redeemed the territorial integrity of the United States according to the boundaries laid down in the treaty of peace and independence and got the European troops and meddlers out. Spain acknowledged those boundaries and also the right of citizens of the United States as well as subjects of his Catholic Majesty freely to navigate the Mississippi River from its source to the sea, with the additional right of unloading and storing goods, for re-shipment on ocean-going vessels, at New Orleans or some other convenient place of deposit in Spanish territory near the mouth of the river.

These happy consummations in the British and Spanish treaties—obtained in the case of Great Britain at a most serious sacrifice of neutral rights on the high seas—were due to the wars of Europe and also to the perspicacity of natural statesmen in taking advantage of them for the preservation of their own country. After Washington it would be a first duty of American statesmanship to conserve the territory on which independence rested; next, to keep the empty West free from the grasp of European monarchies and open to the continental expansion of the new republic. Thanks to Europe's continuing distresses, the territory was conserved and the continent secured all within this Era of Emancipation. At the same time Latin America freed itself from Spanish and

Portuguese sovereignty, and the policy of the United States toward that region took definite shape.

The security of American territory, so happily achieved by President Washington's foreign policy, could have vanished almost overnight if, during the shifting wars and alliances of Europe, adjacent Spanish provinces had suddenly passed into the possession of a stronger European maritime power. If Louisiana, not to mention the Floridas, had thus gone to Great Britain, it would have meant complete encirclement by that power from the St. Lawrence River to the mouth of the Mississippi, the sure suffocation of all future expansion, the possible loss of the newly established boundaries of the Great Lakes and the Mississippi, perhaps the ultimate extinction of independence itself. If by some sudden turn of the European wheel, Louisiana or Florida had become French, a dynamic and aggressive military power would have come into possession of territory from which it could easily master the whole Mississippi Valley. French diplomats in Philadelphia were urging their Government to secure from Spain the retrocession of Louisiana if only as a means of putting pressure on the United States from the west as well as from the ocean in order to make it more amenable to the purposes of French foreign policy.

A more remote territorial transfer, in the West Indies, did take place in 1795 when Spain ceded the eastern half of the island of Hispaniola (the present Dominican Republic) to France. This does not seem to have awakened apprehensions, doubtless because it was not adjacent to the territory of the United States and because no one then seemed to realize its close strategical relationship to the Mississippi Valley. But persistent rumors that France was trying to get Louisiana back from Spain aroused the greatest anxiety.<sup>1</sup> That dreaded event actually happened in 1800 by the secret treaty of San Ildefonso. Bonaparte was laying his plans for the re-establishment of a French colonial empire, in the Mississippi Valley of North America, with the island of Hispaniola as a Caribbean naval base. It was his purpose, to use the words of the late Frederick Jackson Turner, to "intrigue with the Westerners, use the control of the navigation [of the Mississippi] to influence them, make of the Indians a barrier, and gradually widen the borders of his province until the Gulf of Mexico should be a French lake, and perhaps the Alleghenies the boundary of the United States."

This was the most serious menace that the nation had faced since its war for independence. Again the distresses of Europe proved the salvation of America. Facing a renewal of war with Great Britain, Bonaparte



MAP 3. EUROPEAN ENCROACHMENTS ON THE UNITED STATES  
TERRITORIAL MAP OF NORTH AMERICA, 1783



MAP 4. THE LOUISIANA PURCHASE ENDANGERED  
 TERRITORIAL MAP OF NORTH AMERICA, 1806



decided to sell to the United States the whole province of Louisiana. The lucky Louisiana Purchase not only saved the country from a most dangerous, perhaps a fatal, posture of foreign affairs; miraculously also it doubled at one stroke the territory of the new republic and put it in a favored position to advance westward to the Pacific Ocean. Before Europe could recover from the exhaustion of its terrible wars, that advance had been made and the territorial basis established for the United States as a great power in the world today.

Louisiana was not safe as long as the Floridas remained out of the possession of the United States.

Look at the Floridas on the map in relation to the Mississippi Valley and the West. Consider the East Florida peninsula as the butt of a pistol, Pensacola as the trigger guard, the "panhandle" of West Florida as the long horizontal barrel leveled against the Mississippi just above New Orleans, and we realize how those provinces in the possession of a strong and aggressive European power could press with deadly peril against the very jugular vein of the United States as a continental republic.

In those Napoleonic days when a revolutionary war was so rapidly shaping and reshaping the political map of the world, what Jefferson, what Madison, what Monroe, what John Quincy Adams could but be anxious for the future of his country or but tremble for its present security as he looked upon the Floridas? Their transfer from impotent Spain to either France or Great Britain would be as menacing as had been the transfer of Louisiana so recently and so luckily thwarted. The use of the Floridas by British forces during the War of 1812, British support of Indian allies there, the dreadful massacre by the savages of some five hundred American settlers, including the bloody scalping of two hundred and fifty men, women, and children at Fort Mims north of the boundary line, not to mention designs to stir up a slave rebellion<sup>2</sup> in the southern States, all these occurrences presented sufficient proof of the real danger of Florida in the hands of any other power than the United States.

It is not necessary here to go into President Jefferson's arbitrary claim that West Florida was a part of the Louisiana Purchase, much less shall I attempt to defend it, although some evidence can be brought forward which makes Jefferson's position seem less absurd than historians generally have been willing to concede. But it is easy to understand the solid reasons for his interest and that of his successors in the adjacent Spanish provinces. They feared that these might pass suddenly into

the occupation of a more dangerous neighbor than Spain and be used as a base of attack against the United States. That is why they pushed so persistently the arbitrary claim for West Florida as a part of the Louisiana Purchase and demanded East Florida as compensation for various spoliation and damages committed by Spain against citizens of the United States since the beginning of the European wars. We shall not be surprised to find the Spanish borderlands the first consideration in any formulation of Latin American policy, such as became necessary when the third great revolution of the Era of Emancipation broke out in 1808.

## 2

The immediate cause of the Hispanic American revolutions was Napoleon's usurpation of Spain and the determination of the colonial peoples not to accept rule by the conquering dynasty. In this and in this alone they were at one with the revolted Spanish people. They professed allegiance to the deposed monarch, Ferdinand VII, but their refusal to join with the Spanish patriots and England in the war against Napoleon shows that the fundamental purpose of their revolution lay deeper than the Spanish question of the Peninsula: it was the Spanish question of the New World. The revolutionists of the American provinces desired to cut themselves loose from any Spanish rule, from any European sovereignty. They revolted really for their own independence.

The Hispanic American revolt sprang from centuries of despotism of the Spanish colonial system, as contrasted with the earlier Anglo-American Revolution for independence in order to preserve liberties long since grown out of English liberalism. Spain's colonial despotism rested on the exploitation of the infeudated aboriginal masses, and political discrimination against the creole whites and mestizos. There was no real self-government in Spanish America.

Colonial administration came down to the provincials from Spain through royal appointment of viceroys and captains-general and the lower officials set up by them in the king's name within their jurisdictions, or other colonial officials named directly in Spain to serve as checks to the viceroys. Royal orders bridled the commerce and industry of the American provinces for the exclusive benefit of Spain and exploited them in the most fantastic way. This system cut off the colonials from legal contact with the outside world; and Spain itself, economically and politically a backward nation, could not furnish them with the goods or the liberties necessary for the most moderate progress of

civilized peoples. Already in the period of the North American Revolution protest was stirring in Spanish America, and the king's authorities had repressed with unexampled cruelty a revolt of the Indians in the Peruvian highlands (rising of Tupac-Amarú) and of the *comuneros* in New Granada. The independence of the United States and the ideas disseminated by the French Revolution had inspired the creole leaders, and the Napoleonic invasion provided them with the opportunity.

Of all this historical background the people of North America were generally ignorant, though naturally inclined to sympathize with any people, particularly fellow-American people who were struggling for independence against a European sovereignty, as they themselves had done within the time of many men then living, including Thomas Jefferson, James Madison, and James Monroe, leaders in the Anglo-American Revolution. Geographical separation from the southern continent, emphasized by the tremendous difficulties of communication in those days, together with the paucity of information, made South America to most North Americans an exotic tropical region, obscured by medieval tyranny and populated by a mixture of races alien to English culture. Even enlightened people in the United States really knew little or nothing about the other American continent. The few books by English writers available in the first decade of the nineteenth century pictured Spanish rule doubtlessly in darker colors than truth required, but even this prejudiced information was familiar to only a very small body of readers. The more widely read periodicals and newspapers of the day discerned, in the first revolts in Spanish America, mere intrigues and complications of the Spanish revolt in Europe, stirred up by Napoleon's agents.<sup>3</sup> They did not wholly grasp the significance of these events for the destiny of the New World, as one by one in 1809-1810 creole juntas took over authority or attempted to do so in Mexico, Bolivia, Ecuador, Chile, Venezuela, New Granada, and Buenos Aires. Not until after this revolution did the people of the United States really begin to "discover" Latin America.<sup>4</sup> Before then they were interested more in the adjacent borderlands of Texas and Florida, where only feeble Spanish authority existed, lands tempting to filibusters like Aaron Burr and his followers, regions that contained no indigenous elements for the formation of independent Hispanic American states, contiguous countries that "in the manifest course of events" could be expected to be added to the United States. The disputes with England were bringing the nation closer to hostilities, and it was natural that public attention be engrossed with the danger of war at home rather than the new

spectacle of revolution in South America. War with England presumably would mean war with England's ally, Spain, and would open the borderlands to conquest.

These preoccupations had not prevented the development of some contact with the distant Spanish provinces. The European wars had opened up breaches in the dykes of Spain's colonial monopoly even as early as the Anglo-American Revolution. In time of war with England, which occurred during the years 1779-1783, 1796-1801, and 1805-1809, Spain's merchant marine was cut off from adequate communication with her provinces overseas, and she was obliged to suspend her colonial restrictions for limited periods in favor of neutral ships and goods mostly from the United States—notably in New Orleans, Cuba, and Venezuela. During those intervals of war Spain tolerated the presence of consuls in New Orleans, Havana, Santiago de Cuba, and La Guaira, but never formally recognized them as such. In time of peace the consuls persisted with their presence unless actually deported.<sup>5</sup> When the Spanish authorities objected too vigorously to consuls within their dominions, the Secretary of State sent "agents for seamen and commerce," officials who undertook functions of consuls but were not presidential appointees and did not require confirmation by the Senate like consuls. The exigencies of war also invited neutral ships from the United States to remoter ports, like those of the Río de la Plata, Valparaíso, and even Callao—harbors which afforded a convenient call incident to the sealing and whaling enterprises of the South Atlantic, or the trading voyages around Cape Horn to the northwest coast of America and to China. These contacts developed into widespread and profitable smuggling, frequently in collusion with colonial officials, and thus the inhabitants learned the ways of trade with outside nations. At the same time they smuggled in, along with the contraband goods, dangerous thoughts and seditious republican ideas.

In this manner the European wars had worked to break down the Spanish monopoly of commerce and thought before Napoleon's invasion of Spain precipitated revolt of the colonies, the opening of their trade to all nations, and the proclamation of republican constitutions. The consuls or the "agents for seamen and commerce" appointed to Louisiana, Cuba, Santo Domingo, and Venezuela—not to mention the West Indies islands of France, Denmark, Sweden, and the Netherlands—during this earlier period made it a quite natural step to send similar representatives to the revolted communities of Spanish America in 1810, after their envoys had first begun to appear in the United States solicit-

ing succors and making overtures for alliance, even as Silas Deane, the emissary of the Continental Congress, had once visited France on a similar mission in early 1776 before the Declaration of Independence of the United States of North America.

It was the sudden and unprecedented transfer to the New World of the court of a European monarchy, with all its entourage and royal trappings, which presented the occasion for the first establishment of a formally recognized American consul in South America. Early in 1808 the Prince Regent of Portugal, fleeing in a British squadron from the invasion of his kingdom by Napoleon's armies, established himself on a throne in Rio de Janeiro. President Jefferson was quick to take advantage of this opportunity. On coming into office in 1801, he had suspended the legation in Lisbon for reasons of economy. The transfer of the Portuguese court inspired him to renew diplomatic relations.

"Inhabitants now of the same land, of that great continent which the genius of Columbus has given to the world, the United States feel sensibly that they stand in new and closer relations with your Royal Highness. . . . They see in prospect a system of intercourse between the different regions of this hemisphere of which the peace and happiness of mankind may be the essential principle."<sup>6</sup> Such was the message of congratulation to the Prince Regent which President Jefferson entrusted to a consul sent to Brazil in 1808, where he was formally received. In the following year, President Madison accredited to the Portuguese Court at Rio de Janeiro a minister plenipotentiary, Thomas Sumter, Jr., of South Carolina, who tried to secure treatment for North American commerce equal to that awarded to the most-favored nation, and protector, Great Britain.<sup>7</sup> It was impossible for Jefferson to overcome the weight of British patronage in Brazil.<sup>8</sup> In 1810 Great Britain negotiated a commercial treaty consolidating her economic preponderance there. Among other concessions it granted to imports from Great Britain a preferential tariff (15 per cent instead of 24 per cent levied on imports from other nations). Great Britain retained this advantage until the conclusion of the first Brazilian-American treaty of 1828. British influence reigned at Rio throughout all the early period of the era, and Lord Strangford, the British Minister, extended his influence from Rio powerfully to Buenos Aires. In fact, what with the sudden shut-off of North American trade, at a most inopportune time politically for Latin American relationships, by Jefferson's Embargo and again by the War of 1812, British influence speedily overshadowed that of the United States throughout the whole southern continent.

## 3

To Thomas Jefferson the rising of the Spanish people in the Peninsula and the prospective revolt of the Spanish colonies in America spelled these advantages, in this order of importance: (1) the annexation of the adjacent Spanish borderlands which had been the objective of his unsuccessful diplomacy with Spain and France since the Louisiana Purchase; (2) the permanent opening of Spain's other colonies, hitherto closed to legal American trade except during the exigencies of war; (3) the expulsion of European influence from the New World, thus completing the Era of Emancipation ushered in by the Declaration of Independence of the United States, which Jefferson had written with his own hand in 1776.

The President put to his Cabinet in October, 1808, the question of what policy to pursue toward the adjacent provinces and toward Cuba, as the result of the new situation in Spain. Note that this deliberation did not concern the other Spanish provinces in America.

The Cabinet agreed unanimously (October 22, 1808) on "sentiments which should be unauthoritatively expressed by our agents to influential persons in Cuba and Mexico, to wit, 'If you remain under the dominion of the kingdom and family of Spain, we are contented; but we should be extremely unwilling to see you pass under the dominion or ascendancy of France or England. In the latter cases should you choose to declare independence, we cannot now commit ourselves by saying we would make common cause with you but must reserve ourselves to act according to the then existing circumstances, but in our proceedings we shall be influenced by friendship to you, by a firm belief that our interests are intimately connected, and by the strongest repugnance to see you under subordination to either France or England, either politically or commercially.'"

With the Spanish Empire crumbling all over the New World what would be the fate of the Floridas surrounded as they were on land by the territory of the United States? There was no sufficient creole population there to make a new state, as in Chile or Colombia. The predominant white settlers had emigrated from the adjacent United States, induced to settle in West Florida by Spanish land grants. These were the people that Spain had expected to give body to those border provinces, to form a buffer of protection against the rising power of the United States. With Spanish power in universal dissolution they were the only

social element of sufficient stamina for the making of any new state. It could scarcely have been expected that they would wish to be under the protection of Great Britain or France, or that they would desire to continue independent and separate from the country of their origin. Nor would any President have deserved well of his country who permitted Great Britain or France to take the place of Spain and grasp the pistol that pressed against the continental artery of the United States, the Mississippi River. We cannot be astonished that the United States was determined to inherit the Floridas from the ruins of the Spanish Empire. No protest arose from the revolutionary governments of the new states of Spanish America. The only powers to object were Spain, hapless and helpless, and Great Britain which wanted to use the Floridas as a vestibule for invading the United States.

"We consider their interests and ours as the same," the President instructed Governor Claiborne of Louisiana Territory to tell the inhabitants of West Florida, nine-tenths of whom were Spanish American *émigrés*, "and that the object of both must be to exclude all European influence from this hemisphere."<sup>10</sup>

In suggesting these ideas to be conveyed to rebellious Spanish subjects of American origin in West Florida, Jefferson touched on the ultimate objective of the Latin American policy of the United States, the exclusion of European influence from the whole Western Hemisphere, but his more immediate purpose was to substitute the sovereignty of the United States for Spanish authority in the adjacent borderlands from the St. Mary's River (the boundary between Georgia and East Florida) to the Rio Grande del Norte (the western boundary of Louisiana as it had been conceived by Bonaparte's government at the time of the Purchase), and ultimately in the island of Cuba, the *ne plus ultra* to the south.<sup>11</sup>

Jefferson, who fathered these pregnant territorial questions, had to leave them to his successors for solution. President Madison continued to encourage the inhabitants of West Florida to expect help when the right moment should come. By 1810 Spanish authority had so collapsed that the local governor in a moment of irresolution agreed to place the province in the safekeeping of the United States pending a final settlement of the dispute as to its sovereignty, if he should not receive succors from his government during the current month. A revolt of the American *émigrés* in Baton Rouge anticipated him. The President thereupon took possession (October 27, 1810) of the territory between the Mississippi and Perdido Rivers and placed it under the jurisdiction

of Orleans Territory. He was careful to state that it would not cease to be a subject of fair and friendly negotiations and settlement; but in 1812, a few weeks before the outbreak of war with England, most of West Florida was annexed to the new State of Louisiana and the Territory of Mississippi.<sup>12</sup> Actually United States authorities occupied in 1810 only the territory as far east as the Pearl River, thus avoiding a clash with a small force of Spanish troops that remained in Mobile. Another feeble garrison existed at Pensacola, just east of the Perdido beyond the region claimed as a part of Louisiana.

In Washington, the British *chargé d'affaires* acted as spokesman for Spain<sup>13</sup> and protested against the taking possession of West Florida. Madison made use of this officious British protest, and of the offer of the Spanish Governor of West Florida, in a special confidential message to Congress, looking to the temporary occupation not only of the remainder of West Florida but of East Florida as well, lest it be transferred to some "foreign" power.<sup>14</sup> Aroused by the possibility of British occupation of the Floridas, and remembering the transfer of Louisiana only a decade before, Congress responded by the prompt passage in a closed session of the desired resolution and legislation, which became law on January 15, 1811:

"Taking into view the peculiar situation of Spain and *her*<sup>15</sup> American provinces; and considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquillity, and commerce: Therefore,

"Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, that the United States, under the peculiar circumstances of the existing crisis, cannot without serious inquietude see any part of the said territory pass into the hands of any foreign Power; and that a due regard to their own safety compels them to provide under certain contingencies, for the temporary occupation of the said territory; they, at the same time, declare that the said territory shall, in their hands, remain subject to a future negotiation."<sup>16</sup>

The "Act to enable the President of the United States under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the state of Georgia and the Mississippi Territory, and for other purposes," empowered that executive, by agreement with "local authorities," to take custody of East Florida in case it should be in danger of occupation by a foreign power, if possible through arrangement with the "local authorities," but if necessary by using the army and navy. From the instructions given to the commissioners of the United States sent down to the Florida frontier to treat



with Spanish officials, it is clear that the phrase "local authorities" could be interpreted to mean not only the local Spanish authorities like the Governor of West Florida or of East Florida, but also *de facto* revolutionary authorities.

General George Matthews, the more powerful personality of the two commissioners, stirred up a revolution, *à la* Baton Rouge, across the frontier, among the immigrants from the United States. Madison's government had given tacit approval to Matthews's activities, but prudently kept in a position to repudiate his conduct and sacrifice him if expediency should dictate. The British Minister protested against this intrigue and the ensuing occupation of Amelia Island. At that very time his own government had been trying through a secret agent—the notorious John Henry—to encourage sedition in the New England states. Madison could not very well avow an intrigue in Florida so much worse than that which he vehemently denounced on the part of Great Britain in New England.

So the President repudiated Matthews and dismissed him. But the American army was still in possession of Amelia Island when the war with Great Britain began in 1812. We have already noted that a few weeks before war broke out, Congress passed acts for the definitive annexation of all of West Florida.

The No-Transfer Resolution of 1811, which crystallized out of the great territorial questions of North America, so vital to the independence, security, and continental future of the United States, was the first significant landmark in the evolution of its Latin American policy. Older than the Monroe Doctrine itself, it goes back in its unwritten essence to the retrocession of Louisiana. This principle as formulated in 1811 was carefully restricted to Florida. In 1823 Secretary of State John Quincy Adams extended it to Cuba. It does not occur specifically in the text of the Monroe Doctrine in 1823, but it may be found in a contemporary statement read to the Russian Minister in Washington. Later (1870) it was applied to all the Western Hemisphere and definitely integrated with the Monroe Doctrine.<sup>17</sup> In 1939 it became a jointly declared policy of all the republics of the New World. It is at once the earliest and the most recent expression of the Latin American policy of the United States.

## CHAPTER III

### *The United States and the Independence of Latin America (1815-1822)*

THE revolution of the Spanish provinces fitted into the program of the United States as it faced a second conflict with Great Britain. Instead of making the wars in Europe the occasion for a large policy of assisting the liberation of Spanish America, Jefferson and Madison subordinated their Latin American policy to the exigencies of the dispute with England.<sup>1</sup> But we must remember that the dispute with England involved nothing less than the mastery of North America, which after all was more vital to the future of the United States than the destiny of Latin America. Recent historical scholarship<sup>2</sup> has made it clear that, despite the abundant grievances and just cause for war, Congress would not have declared hostilities had it not been for the desire of the western constituencies to use the war to conquer Canada from Great Britain in the north, and in the south to take Florida and perhaps Texas from Britain's ally, Spain, while those two powers were desperately involved in the Napoleonic wars. The object was not only to resist the barbarous slavery of impressment and to vindicate neutral rights on the high seas; it was also by conquest to wipe out British alliances with the Indians of the Northwest and Southwest and their murderous warfare against men, women, and children of the frontier, withal to win for the United States in North America such an empire for liberty as the world had not known since the creation—to use Jefferson's words. General revolution in Spanish America would be certain to loosen Spain's feeble authority in the borderlands and make it easier to occupy them in case of war with England and Spain.

If the revolution of the Spanish colonies was thus unquestionably helpful to the United States, as it faced a war with Great Britain, it

was to the latter country both an advantage and a disadvantage. On the one hand, it opened wide to British ships and commerce a vast new trading area hitherto forbidden to foreign flags, and this at a time when Napoleon was trying to shut England off from Europe by perfecting his continental system. On the other hand, it weakened the resources of Spain when she and her ally were fighting against Napoleon in the Peninsula. British diplomacy, of course, would have preferred to have its cake and eat it too. It sought to reconcile the colonies to their mother country so that they might aid Spain and Great Britain in the war against Napoleon—provided always that their trade were left open to British commerce and navigation. But the Spanish alliance required the British Government to turn its back on the cause of the revolutionists. Consequently it refused to welcome their emissaries or to admit their ships to British ports or to allow British subjects openly to export succors to patriot forces. The United States, on the contrary, received the agents of the new governments in 1810 and afterward, in the most friendly manner, encouraged them and advised them how to purchase arms, munitions, and even ships within its own ports, and stimulated their cause in every way short of actual participation in it. The Washington Government barely stopped short of supplying them with arms out of its own arsenals. As we might describe it in the language of 1940, the United States was "non-belligerent" in favor of the revolutionists. Great Britain was a "non-belligerent" more friendly to Spain than to the revolutionists.

At the outset of the revolt the United States—in contrast to Great Britain—sent agents to the rebel governments; at first, in 1810, "agents for seamen and commerce," who were also political observers; then, in 1811, actual consuls appointed by the President and duly confirmed by the Senate, officials who accepted formal exequaturs from the *de facto* governments. This was as close to recognition *de jure* of the new states as it was possible to go. Representatives from Venezuela (1810), Buenos Aires (1811), and especially Mexico (1811) met in Washington a friendly and solicitous, if technically informal, welcome by the President and Secretary of State. To aid and abet revolution in South America and Mexico was to countenance and stimulate it also in Florida and Texas, and to open the way for allies in case the anticipated war with Great Britain should lead, as everybody expected, to war also with Spain. All this would promote the acquisition of the disputed borderlands while the Spanish Empire was in process of dissolution. Added to this plain self-interest in territory so vital to the security of the

United States was obvious further interest in rapidly growing trade with the Spanish provinces, and a very genuine ideological sympathy, evidenced in the instructions to the first agents sent to the revolutionary governments, for the promotion of "the most friendly relations, and the most liberal intercourse, between the inhabitants of this hemisphere, as having all a common interest, and as lying under a common obligation to maintain that system of peace, justice, and good will which is the only source of happiness for nations."<sup>3</sup>

The early military disasters of the war blotted out all the ambitious plans of the expansionists of 1812 for conquering an "empire of liberty" in North America. Fortunate indeed was the United States to escape with its territory intact, and this was possible only because of the occupation of England's major forces in Europe. After the first reverses of arms at the hands of England, the United States proved to be as anxious to avoid open war with Spain as Spain was to keep out of formal hostilities with the United States. So the two nations managed to keep a precarious peace. Meanwhile, thanks to Great Britain's victory over Napoleon in the Peninsular War, the Spanish people found release at last from foreign thralldom. In 1814 Ferdinand VII returned to his throne resolved to recover his empire in America, and even ready to join England in the war against the United States, as a step toward retrieving Louisiana. But at the close of the same year the Peace of Ghent ended the war between Great Britain and the United States.

One thing was certain in 1815 when the wars ended in Europe and North America: the United States having safely extricated itself from the European gigantomachy did not wish to fight forthwith another war with Spain—not to mention possible allies of Spain—for the purpose of liberating Spanish America. Rather, it preferred to take advantage of Spain's exhaustion in Europe and continuing distresses in America in order to secure by diplomacy possession of the strategic borderlands so vital to its own security. Accordingly it adopted a policy of formal neutrality.

The new policy, contrasting with the more benevolent attitude that had prevailed before 1812, was confirmed by the acceptance in December, 1815, of Luis de Onís as Minister Plenipotentiary of the restored King Ferdinand VII. The President now ceased to commission consuls to the revolted provinces of Spanish America. Where new appointments were indicated, the Secretary of State reverted to the earliest practice of sending out rankless "agents for seamen and commerce" who did not require nomination by the President or confirmation by the Senate, thus

avoiding the implication of any constitutional recognition of those governments. Such informal agents replaced the consuls in La Guaira, Buenos Aires, Valparaiso and Lima.<sup>4</sup>

Even in this stricter neutral status the United States, after the legitimist peace settlement of Vienna, remained the only important country in the world to which the patriots could turn for sympathy and for military supplies. Great Britain in her alliance of 1814 with Spain had pledged herself not to allow her subjects to supply the revolutionists with materials; she still refused to admit their ships into her ports; and in 1819 she passed the Foreign Enlistments Act to prohibit her subjects from bearing arms in the rebel cause. Within the bounds of neutrality in the United States the ships of the new belligerents met friendly reception. Agents of the revolutionary governments, equally with those of the Spanish monarchy, could buy contraband of all kinds and export it either in their own ships or vessels of American citizens, subject always to the risk of capture at sea under the law of contraband. They could even build or purchase ships in the United States and export them if not armed within its territorial waters. In fact, they could go beyond the limits of the law, with little danger.

So sympathetic to the patriot cause was public opinion that the neutrality laws were violated again and again, quite openly, without the Government being able to get jury convictions. In fact, the ordnance department of the United States Army "loaned" some "surplus" powder to a Venezuelan agent in 1816,<sup>5</sup> but thanks to Adams's sticking for neutrality, it did not become a precedent. South American agents bought and illegally outfitted privateers in ports of the United States, notably Baltimore and New Orleans, manned them illegally with North American crews, illegally commissioned United States citizens as commanders of these craft under the rebel colors, often providing them with several sets of fraudulent flags and commissions. The privateers put in with their prizes at Amelia Island, just outside the jurisdiction of the United States, at Galveston\* in Texan territory disputed with Spain, and at bayous and inlets on the Gulf of Mexico, from which places and other clandestine rendezvous their booty found illegal sale. In 1817-1818 an agent of the Buenos Aires government succeeded in constructing two

\* To wipe out this port of privateering operations, degenerated into downright piracy, United States naval forces occupied Amelia Island, December 23, 1817, while it was still in undisputed Spanish sovereignty, and continued in control until after the cession of Florida. In 1824 a naval demonstration off Galveston, then a part of Mexico, was sufficient to put an end to the freebooters of that port.

frigates in New York harbor and getting them successfully out to sea, after a slight brush with the law. In the distant home waters of the Rio de la Plata they took on guns separately shipped under the American flag from North America.

These violations of neutrality were the subject of continued and bitter denunciation by the Spanish Minister in Washington. In response to his protests Congress passed new neutrality legislation in 1817 and 1818 designed to block up loopholes in existing laws and to apply technically to "colonies" and "peoples" such as the rebel communities, as well as to "states" and "princes" like the Spanish monarchy, but Onís soon came to realize that he could make little progress at Washington for the enforcement of neutrality unless his government were willing at the same time to consider the grievances\* of the United States and a new destiny for the helpless borderlands. The United States desired to have these grievances and claims acquitted by the cession of the Floridas and Texas. Thus the territorial questions of North America dominated Latin American policy during all phases of the Hispanic American revolutions.

To preserve the precarious neutrality of the United States, to prevent recognition of the independence of the revolted colonies, Spain found herself constrained to discuss these territorial questions so vital to the present and future interests of the North American republic. She resorted to all conceivable procrastination. While desperately Spain sought the aid of some European power to protect the Floridas and to recover her other colonies, the United States on its part threatened to recognize the independence of the revolutionary governments, or to occupy the remainder of the Floridas, or to do both, if Spain would not come to a prompt settlement.

Great Britain, Spain's ally against Napoleon, was willing to mediate jointly with the European powers, or singly by herself, to end the war between Spain and her American colonies, provided always that no force be used or implied and that the trade of the colonies remain open to British subjects. With obstinate folly Ferdinand refused such a peaceful mediation, hoping that he could persuade the Holy Alliance to inter-

\* These consisted of: the old unsettled claims for spoiliations during the European wars in violation of Articles XV and XVI of Pinckney's Treaty of 1795; claims for damages due to arbitrary suspension of the right of deposit at the mouth of the Mississippi, guaranteed by the same treaty; new claims for violation of Spanish neutrality by the recent operations of British forces in Florida against the United States; and for numerous Indian raids north of the boundary line in violation of Article V of Pinckney's Treaty.

vene forcibly to restore his absolute authority. The British Foreign Minister, Lord Castlereagh, purposely kept the American Secretary of State, John Quincy Adams, mystified as much as possible about these mediation projects, in order to prevent or at least to postpone recognition of the Latin American republics. To Castlereagh republics were anathema, as they were generally to the ruling Tory classes in England, and he hoped peaceably to contrive a recognition by Spain and Europe of independent monarchies in the New World before the United States should recognize republics there. This would be a body-blow to the disturbing republican example. Castlereagh declined all overtures from Washington that the two English-speaking powers lead off in a recognition of the independence of Latin America. Lest the United States take such a step by itself, he urged Spain to appease it by yielding the Floridas. He even offered the peaceful mediation of his own government to get the best terms possible for Spain at Washington, but President Monroe declined, with thanks, the proffered good offices.<sup>6</sup>

As soon as John Quincy Adams felt reasonably certain that Spain could get no aid in Europe, either for the protection of her borderlands or for the restoration of her other provinces, he began to push that monarchy in earnest for a new frontier line in North America. In 1818 General Andrew Jackson, whose burning desire to conquer Spanish territory was notorious on both sides of the Atlantic, was allowed to invade East Florida for the not unworthy purpose of chastising hostile Indians who had been making murderous raids across the frontier. During his spectacular operations the American commander executed two British nationals, Arbuthnot and Ambrister, convicted by court-martial of having conspired with the savages. The fact that the British Government did not choose to defend these "unfortunate" subjects was clear enough proof to Spain that England would not help her hold the Floridas.

In the treaty signed on February 22, 1819, between the United States and Spain,<sup>7</sup> traditionally called the Florida Treaty, but which a recent writer more significantly has named the Transcontinental Treaty, Spain tried, as a condition of her territorial concessions, to pledge the United States not to recognize the independence of the revolutionary governments. John Quincy Adams firmly refused to give any such promise; such a guaranty for the uncertain future, he correctly pointed out, would itself be a violation of neutrality. Under the circumstances Spain had to take the treaty without this stipulation. More successfully she resorted to delay in ratification as a means of holding off such rec-

ognition while she continued to seek the aid of Europe to restore her sovereignty in the New World.

The Transcontinental Treaty of 1819, if not an absolutely perfect triumph, was the greatest diplomatic victory ever won by an American Secretary of State. If Adams had gathered in Texas he would have made a perfect score. The archives in Madrid reveal that Onís had instructions to yield Texas, as well as the Floridas, if necessary to get a treaty. If President Monroe and the Cabinet had supported him in the last ditch of the negotiations, Adams would have stuck it out for Texas too, but Monroe was content with less. Indeed, if the Texas question had been settled then and there, a later distressing chapter of Latin American relations could have been avoided to a large extent.

Even without Texas the treaty, unanimously ratified by the Senate, was an extraordinary achievement, largely due to the foresight and pertinacity of one man. In recognition of mutual concessions it canceled all claims of either party against the other. In return for Spain's relinquishment of the Floridas and a new frontier line in the west the United States agreed to assume all claims of its own citizens up to a total limit of \$5,000,000. The old Pinckney Treaty was renewed except for certain alterations: Spain refused to reincorporate the American dictum of free ships free goods, and the United States insisted on the omission of the article that had guaranteed to the citizens and subjects of both parties the free navigation of the Mississippi—for as a result of the new treaty the Mississippi had become a one hundred per cent American river. "Henceforth the Father of Waters was to roll untinged by any treaty servitude from its source to the sea."

The great triumph of the treaty was the fixing of a new boundary between the United States and Spanish dominions from the Atlantic to the Pacific Ocean. This was a veritable stroke of genius on Adams's part, something that throughout his life he regarded as his greatest contribution to his native land, to which he had pledged to God the fullest service of his life. It was he who inserted this stratagem into the negotiation; it was he who successfully carried it through.<sup>8</sup> The treaty line began on the Gulf of Mexico at the mouth of the Sabine River, a stream that corresponded closely to what the Spanish Government in its secret counsels had determined to be the real western boundary of Louisiana.<sup>9</sup> Ascending that river as far as 32° North Latitude, it then struck due north to the south bank of the Red River, thence westerly along that bank to the meridian of 100° West Longitude, thence north to the south bank of the Arkansas River and again westerly along that



bank to the river's source (near present Cañon City, Colorado), from which point it was to proceed either due north or due south (as geography might require—it proved to be north) to the 42d parallel of North Latitude and further westerly along that line (northern boundary of the present states of Utah, Nevada, and California) to the Pacific Ocean. By Adams's other boundary treaty of 1818 Great Britain a few months previously had accepted the parallel of 49° North Latitude from the Lake of the Woods to the crest of the Rocky Mountains, leaving the unbounded Oregon country beyond the mountains open to the occupation and settlement of citizens or subjects of either party; this latter treaty had secured Louisiana on the north as far westward as the mountains and had preserved an equal claim of the United States with that of Great Britain to the region beyond the Rockies. The Transcontinental Treaty with Spain was a worthy pendant to the treaty of 1818. It was the first recognition by a European colonial power of an undisputed right of the United States to territory clear through to the Pacific Coast. It was a mighty supplement to the Louisiana Purchase.

It would be difficult to find in modern history any such successful diplomacy of peaceful nation-building as that which had occurred so far within the lifetime of John Quincy Adams. The independence of the United States was only forty-three years old when the Secretary of State put his pen to the Transcontinental Treaty. Thomas Jefferson, author of the Declaration of Independence, was still alive and looking on, with keen satisfaction, from his hilltop at Monticello. John Jay and John Adams, who had signed both the Declaration of Independence and the Treaty of Peace of 1783, were still kindling their early-morning fires on the shore of the Atlantic Ocean. James Madison, architect of the Constitution, and President during the War of 1812, was enjoying a tranquil retirement on his Virginia farm. James Monroe, whom Jefferson had sent to Paris to help Robert R. Livingston buy New Orleans and West Florida but who had procured all Louisiana instead, was President at Washington, and now the illustrious son of old John Adams, who had been a boy in Europe when his famous father signed the memorable treaty of peace and independence, had carried his country's flag permanently over the mountains to the Pacific Ocean, from sea to shining sea. All this continental consummation, stemming from the wars and distresses of Europe, was witnessed by these fathers of American independence.

What citizen of the United States of the twentieth century would wish to undo the diplomacy of these natural statesmen, or to talk it down in

the anaemic accents of philosophical pedantry? What present-day countryman of John Quincy Adams, looking back through the pages of history on the diplomacy of the Era of Emancipation, would have risked the success of the Transcontinental Treaty by any premature recognition of the inevitable independence of the new Latin American states?

A century ago there were politicians who would have invited this risk. Such a danger harassed Adams all through the negotiation with Onís. A powerful propaganda was worked up for immediate recognition. At Philadelphia and Baltimore there fraternized with the duly appointed agents to Washington of the revolutionary governments a score or more of Latin American *émigrés*, refugees from the Spanish reconquest of Venezuela or dissidents expelled from Buenos Aires by the dictatorial government of Pueyrredón. In the North American press and periodicals of the day these patriots in exile rendered valiant service for their homeland.

If before the War of 1812 the people of the United States had been ill-informed about South America, they were now awakened by this group of *émigrés* who furnished aliment to native North American publicists like William Davis Robinson, H. M. Brackenridge, Captain David Porter, and Joseph H. Skinner, and journalists like William Duane (of the Philadelphia *Aurora*), Baptiste Irvine (of the New York *Columbian*), Jonathan Elliot (of the Washington *Gazette*), Thomas Ritchie (of the Richmond *Enquirer*), and Hezekiah Niles (of the *Weekly Register*, of Baltimore). All of them gave tongue in English to the patriots of the South.

Throughout the country the sober smaller newspapers reprinted in their columns the lucubrations of these influential writers. In the news columns the spectacular exploits of Bolívar and San Martín succeeded the campaigns of Napoleon and Wellington that already had passed into history. This publicity, if considerably inspired and primed, was nevertheless an unpaid \* and passionate appeal in the name of liberty itself that easily frustrated the scribes and writers whom Onís employed to lament and belabor violations of the neutrality laws. It began to dawn on the people that the persistent revolutionary movement in Hispanic America was not a mere reflex spasm of the Napoleonic conflict but rather an heroic and magnificent climax of the Anglo-American Revolution itself: the achievement of that American System for which

\* It was unpaid because the exiles, even the accredited agents of the revolutionary governments, had no money for it.

the North American Revolution had pointed the way. It was the third great and final revolution of the Era of Emancipation.

For this propaganda, directed as it was to a common revolutionary affinity and to an intuitive readiness for political separation of the whole New World from the European system, the people of the United States were already expectantly attuned by their natural hostility to the Spanish monarchy and contempt for it, by their anticipations of diplomatic acquisition of the Spanish borderlands, and by the prospect of profits for privateers of the War of 1812 made idle by peace, and by their very history and character. In such a favorable indigenous<sup>10</sup> medium the patriot propaganda, pointed always toward the recognition of the independence of the revolted provinces, is a factor to be taken into account in any interpretation of the early Latin American policy of the United States, particularly on the question of recognition. Ambitious political personalities would be sure to capitalize on the prevailing sympathy for the independence of the new governments and the universal appeal of an American System free from the intrusive politics of the Old World.

Henry Clay, expansionist of 1812, felt the new current of public opinion and was quick, too quick, to see political implications in it. The rising leader of the New West reflected the essential anti-Spanish feeling of his native Mississippi Valley and the Jeffersonian tincture of his political apprenticeship, but his fight for the independence of the new republics was not unmixed with personal ambition. A far more popular politician than the ascetic Adams, he felt that his representative office of Speaker of the lower house of Congress entitled him to a more valid pretension to follow Monroe in the Presidency than that of Adams, who as Secretary of State stood on the traditional stepping-stone of succession. In Latin American independence he discerned a new issue that might more than supplant in political appeal that militant expansionism that had died in the War of 1812. Clay commenced to nag the Administration, urging upon Congress immediate recognition of the United Provinces of the Rio de la Plata, where independence had been achieved most substantially. This would be a first step.

Taking his cue from the propaganda of the day, the Speaker appealed to his colleagues in the House of Representatives to build for the New World an American System of politics and economy, distinct from that of Europe. In March, 1818, he attached to an appropriation bill an amendment for eighteen thousand dollars to provide for salary and expenses of a minister to Buenos Aires. To support this amendment the

Speaker, descending from the chair, summoned all the resources of his oratory. The new nations, whatever form of government they might adopt, would be "animated by an American feeling, and guided by an American policy. They would obey the laws of the system of the New World, of which they would compose a part, in contradistinction to that of Europe." They looked upon the people of the United States as their brothers in freedom, their great example.<sup>11</sup> "At the present moment," he told his listeners, "the patriots of the south are fighting for liberty and independence—for precisely what we fought for . . . I ask him [pointing to a member who was a veteran of the Revolutionary War], the patriot of '76, how the heart rebounded with joy, on the information that France had recognized us? The moral influence of such a recognition, on the patriots of the South, will be irresistible."<sup>12</sup>

The Speaker's rhetoric thrilled but did not convince a majority of the House. His friends and colleagues obeyed the head rather than the heart and voted down the amendment, 115 to 45 (March 28, 1818), and Congress adjourned. A year later the signature of the Transcontinental Treaty convinced the country that the Administration had followed the right course. Congress followed the lead of the President, and the President followed the advice of his Secretary of State, despite frequent errant impulses to yield to Clay.\*

The magnificent Transcontinental Treaty took the wind out of

\* In 1817, at the beginning of his administration, before Adams arrived from London to become Secretary of State, President Monroe on his own initiative had appointed a fact-finding commission to visit South America and report on the actual condition and viability of the new states. It was finally composed of Theodorick Bland, John Graham and Caesar A. Rodney, all of them originally enthusiasts for the revolutionary cause. The secretary to the commission was none other than Henry M. Brackenridge, who had commended himself to Monroe's attention by his powerful tract, mentioned above, in favor of South American independence, in which he stressed a "common American continental interest, in opposition to an European interest." Taking advantage of the difficulty of organizing this commission, Adams upon coming into office succeeded in delaying its departure for several months, until December, 1817. In a Cabinet meeting of October 30, 1817, the President raised the question whether it was expedient to recognize Buenos Aires or other revolted provinces, and Adams successfully opposed it. The commission visited Buenos Aires (Bland also went to Chile, more for personal than official reasons) and made a divided report in November, 1818, on the whole disillusioning and discouraging to those who favored the recognition of the United Provinces of the Plata, where the commission had made the greatest investigation. Instructions to the commission, correspondence relating to it, and its reports, may be found printed in Manning. Brackenridge, the secretary, remained a consistent devotee of the cause and advocate of recognition. He recorded his experiences and views in his *Voyage to South America, Performed by Order of the American Government in the Years 1817 and 1818*, Baltimore, 2 vols., 1819 and 1820.

Speaker Clay's opposition to the Latin American policy of the Monroe Administration, but Florida and the new frontier would not be safely under the flag of the United States until ratifications were formally exchanged and the provinces actually handed over. The full powers from the King of Spain, under which Onís had signed the treaty, contained a solemn promise by His Most Catholic Majesty "on the faith and word of a king, to approve, ratify, and fulfill whatsoever might be stipulated and signed" by the plenipotentiary. Now a Spaniard, particularly a Spanish King, is always proud about his *pundonor*. When the treaty reached Madrid the King's Secretary of State read his handiwork and found it good, but the Council of State objected: too much territory had been ceded, there was no guaranty against recognition of the independence of Buenos Aires, no promise on the part of the United States better to enforce its neutrality laws. So the Council advised that pretexts<sup>13</sup> be sought to delay ratification until more propitious times. Before these considerations the King's *pundonor* fainted forthwith. He sent another minister on a leisurely trip to Washington, by way of Paris and London, to see if he could get better terms for doing what his master had already pledged himself to do.

Spain's refusal to ratify disgusted Adams, but did not altogether destroy his patience. At first he counseled the President to recommend to Congress the forcible occupation of the Floridas. In his annual message (December 7, 1819) on the state of the Union, Monroe asked Congress for discretionary authority to do this. Then Speaker Clay opened a belated attack on the treaty because it had not included Texas. The committee on foreign affairs of the House reported a bill for the mandatory occupation of the Floridas. On sober second thought, the President, with Adams's approval, sent in a special message (March 27, 1820) suggesting delay until the next session of Congress, to give time for the new Spanish Minister to arrive.

The Minister, General Vives, when he arrived (April, 1820), immediately revealed the new terms which Spain demanded as her price of ratification: (1) strengthening of the neutrality laws, (2) a formal guaranty of the integrity of Spain's American possessions, (3) a promise not to recognize any of the revolted provinces. All these conditions Adams refused. The neutrality laws were being enforced, he declared. The policy of the United States towards the revolutions was neutrality, and he repeated that it would be a violation of neutrality to agree never to recognize the independence of any of them no matter what should happen. Nevertheless he carefully intimated that his Government "prob-

ably would not precipitately recognize the independence of the South Americans.”<sup>14</sup>

This gave Spain a last chance to comply. So the President recommended to Congress still further delay before forcible occupation. As the session of Congress ended, Henry Clay succeeded in carrying (May 10, 1820) a mild resolution:

“that it is expedient to provide by law a suitable outfit and salary for such Minister or Ministers *as the President, by and with the advice and consent of the Senate*, may send to any of the Governments of South America, which have established, and are maintaining, their independence on Spain.”

The passage of this resolution by a vote of 80 to 75 was a tempered tribute to Clay's long advocacy of a cause, but it was a triumph for Adams's policy, because its qualified language, in the words here italicized, strengthened rather than embarrassed the executive in dealing with Spain.

A liberal revolution in Madrid, which happened just after Vives had departed, together with the certainty that the United States would occupy the Floridas and also immediately recognize the independence of the revolted colonies, if good faith were not forthcoming, revived the King's *pundonor* and saved the treaty. The Council of State now favored ratification; the new constitutional Cortes secretly gave its approval (September 30, 1820); the King finally signed the instrument (October 24, 1820) and sent it to Washington. Because the original term of six months stipulated for exchange of ratifications had long since expired, the President once more submitted the document to the Senate. Again that body advised and consented to ratification (February 22, 1821). This time there were four opposing votes. Exactly two years had elapsed between signature and ratification of the treaty. Spain had gained at least that much time by her procrastination, but to little avail.

With the Transcontinental Treaty duly ratified and the Floridas safely annexed, there was no longer any great reason of international politics to prevent the United States from recognizing the independence of any of the revolted provinces. It was by now perfectly evident to Adams that England, if she would not join in such a recognition, at least would not oppose it; it was also clear that all danger had disappeared—at least for the time being—of any formidable European reaction to such a step. The United States was free to do as it pleased. In Congress Clay, on the eve of a temporary retirement from public life, still kept up the fight for recognition. Just before Spain's ratifica-

tion of the treaty reached Washington, he had secured the passage of another resolution. The first clause, carried 134 to 12, stated: "That the House of Representatives participates with the people of the United States in the deep interest which they feel for the success of the Spanish provinces of South America which are struggling to establish their liberty and independence." The second, voted 87 to 68, declared: "that it will give its Constitutional *support* to the President of the United States, *whenever he may deem it expedient* to recognize the sovereignty and independence of any of the said provinces."<sup>15</sup>

The passage of these unexceptionable resolutions and the ratification of the treaty marked the complete evaporation of the issue between the Administration and the Speaker on the Latin American policy of the United States. Shortly thereafter, Clay and Adams, conscious rivals for the Presidency, had a long talk about Latin America. Each regretted the difference of views in the past, and rejoiced that they were at an end. It is worth while to record Adams's words as expressed in this remarkable interview:

"I have never doubted," he said to Henry Clay, "that the final issue of their [the revolted provinces] present struggle will be their entire independence of Spain. It is equally clear that it is our true policy and duty to take no part in the contest. The principle of neutrality to *all* foreign wars is, in my opinion, fundamental to the continuance of our liberties and of our Union. So far as they are contending for independence, I wish well to their cause; but I have not yet seen and do not now see any prospect that they will establish free or liberal institutions of government. They are not likely to promote the spirit either of freedom or order by their example. They have not the first elements of good or free government. Arbitrary power, military and ecclesiastical, is stamped upon their education, upon their habits, and upon all their institutions. Civil dissension is infused into all their seminal principles. War and mutual destruction are in every member of their organization, moral, political, and physical. I have little expectation of any beneficial result to this country from any future connection with them, political or commercial. We shall derive no improvement to our own institutions by any communion with theirs. Nor is there any appearance of a disposition in them to take any political lesson from us. As to the commercial connection, I agree with you that little weight should be allowed to arguments of mere pecuniary interest; but there is no basis for much traffic between us. They want none of our productions, and we can afford to purchase very few of theirs. *Time* must be the test of your opinion and of mine; but, I candidly acknowledge that nothing has occurred hitherto to weaken in my mind the view which I have taken of this subject from the first."<sup>16</sup>

The issue over policy now dissipated, the Secretary of State was in a position to pursue unembarrassed his guiding principle of "unequivocal

neutrality" and to carry out his personal assurances to General Vives that the United States would not act precipitately in recognizing the South Americans. Convenient justifications were at hand for leisurely deliberation. In the first place the military situation at the beginning of 1821 was much blacker than at the close of that memorable year. In Mexico, in Venezuela, Colombia and Peru, it was not yet clear whether the revolutions would be successful. In the far south, the present Argentina, and most of Chile, were clear of Spanish troops, but at Buenos Aires all was confusion and anarchy in the government. Montevideo was in the hands of the Portuguese, and in the interior of the river provinces it was impossible to say who was in authority. The essential requisites for carrying out the responsibilities and duties of a state under international law—the standard which Adams found it convenient to demand—did not yet exist in Latin America beyond all doubts. This was particularly evident in the depredations of the rebel privateers in many instances turned pirates.

By sweeping the Spanish merchant marine from the seas the privateers had been an important factor in keeping the revolts alive. So had the occasional frigates clandestinely built in the United States, or converted from American armed merchantmen in rebel ports. Investigators<sup>17</sup> into the activities of the privateers have established that at least twenty-one were fitted out at the port of Baltimore alone, most of them prowling the seas under the flag of Buenos Aires. A dozen more, sailing (after they left United States jurisdiction) under the flags of Mexico or Venezuela, went out from New Orleans.

As long as the privateers confined their operations to enemy prizes they were a vexatious but not impossible problem for the Secretary of State in answering the protests of the Spanish Minister. Public opinion tolerated if it did not applaud their deeds, and indulgent juries generally acquitted them when brought to court for violation of law; but when their irresponsible captains began piratically to plunder neutral vessels, and even the shipping of the United States, their popularity declined. Despite prevailing sympathies for the privateers and the difficulties of securing condemnations because of local profits and interests involved, ten men were convicted and hanged as pirates, in 1820.<sup>18</sup> The United States had already repeatedly protested to the *de facto* governments against these abominations, and Adams was unwilling to recognize the Buenos Aires government until it could demonstrate its power to stop them. To satisfy the complaints of the United States, that *de facto* government revoked all its commissions to privateers on October



6, 1821. When this became known in Washington, it helped remove objections to recognition.

At the same time the striking victories of the patriots over Spanish armies during the year 1821 weakened Spain's hold on the continent and made independence seem no longer doubtful, although remnants of Spanish armies still held some territory in Peru and Colombia. Adams had consistently maintained that recognition flowed not from the *right* to independence but from the fact. That fact had become now reasonably apparent—provided Spain could summon no aid from Europe. President Monroe decided that the time had come to recognize the new states if their good will were to be preserved against the wiles of European diplomacy. Responding to a welcome call from the House of Representatives for documents bearing on the state of the war between the Spanish American governments and Spain, he sent in a special message (March 8, 1822) declaring that Chile, the United Provinces of the Plata, Peru, Colombia, and Mexico were all in full enjoyment of their independence, and that there was not the remotest prospect of their being deprived of it. Recognition of established independence, he asserted, could not be considered by Spain as an hostile act, and the neutrality of the United States would continue unaltered.

Congress immediately complied (May 4, 1822) by appropriating \$100,000 to meet the expenses of "such missions to the independent nations on the American continent as the President might deem proper." The act passed almost unanimously: 167 to 1 in the House; 39 to 3 in the Senate. The venerable Monroe signalized the first act of recognition by formally receiving, in a moment of great and sincere emotion, June 19, 1822, Manuel Torres, as *chargé d'affaires* of Greater Colombia (which then included New Granada and Venezuela). An invalid with only a few weeks to live, the highly respected Torres was the only accredited diplomatic agent of a Latin American government then in the United States. One by one the other states received recognition, either by the reception of their diplomatic representatives, or by the appointment of regular diplomatic officers to them: the Empire of Mexico, December 12, 1822; Chile, January 27, 1823; the independent Empire of Brazil, May 26, 1824; Central America (which had separated peaceably from the Mexican Empire), August 24, 1824. Peru was not recognized until 1826, after the last Spanish army there had been defeated in the battle of Ayacucho (December 9, 1824). Recognition of independence involved no departure from neutrality. Though

Spain protested indignantly, she did not break off relations with the United States.

The friendly Republic of the North was thus the first nation outside the sisterhood of the new states of Latin America to recognize the independence of those nations. This recognition was the greatest assistance rendered by any foreign power to the independence of Latin America. We shall soon see that this example was eventually to prevail on hesitant England and reluctant Europe. The later succession states of Latin America that appeared during the nineteenth century received recognition as soon as their sovereignty appeared indubitable: Uruguay, in 1834; Venezuela, in 1835; Ecuador, in 1838; Bolivia, in 1848. Because of the opposition of the slaveholding States of the United States, the independent Negro republic of Haiti had to wait till 1862, the Dominican Republic until 1866.

The opposing Latin American policies of Adams and Clay had approached each other by 1822 so that all differences had melted away. Warm-hearted Clay, in espousing the ideal of emancipation of the whole New World and its political separation from the European system of divine-right monarchy and power politics, was willing finally to leave Adams to secure the continental interests of the United States first. Cool-headed Adams, after reaching the goal of his diplomatic ambition, a transcontinental republic, the vital territorial basis for the nation, was later careful to take care of Clay's broader American concepts, as the events to be narrated in the next chapter will demonstrate so abundantly.

Time, the Great Expositor, has been kind to both men. With James Monroe, the friend of republican liberty, they deserve well of the independent New World. These three great statesmen fixed the Latin American policy of the United States at the close of the Era of Emancipation.

## CHAPTER IV

### *Diplomatic Background of the Monroe Doctrine* (1815-1823)

THE initial Latin American policy of the United States had been to make sure that during the disruption of the Spanish Empire a more powerful European rival monarchy should not step into Spanish provinces contiguous to or close to the United States in such a way as to threaten its independence, security, and vital interests, the most vital interest after independence and security being that of continental expansion. The thesis of the preceding chapters is that the independence and the territorial integrity of the United States and its Manifest Destiny—using the phrase in its most proper sense: the opportunity to found a Continental Republic by expanding through to the other ocean—depended upon the fate of the Spanish borderlands of Florida and Texas, and ultimately of the island of Cuba. This inspired the lucky Louisiana procurement. It provoked the Florida question. It produced the notable No-Transfer Resolution of January 15, 1811. It resulted in the unsuccessful war with Great Britain of 1812-1815. It elicited the skillful diplomacy of John Quincy Adams and the magnificent achievement of the Transcontinental Treaty. It looked to the territorial basis of the United States of today.

To say that the original Latin American policy of the United States was dominated by self-interest plainly predicated is not to agree that it was devoid of political idealism. In guiding itself by the compass of national interest the Government was yielding to a natural magnet that animates all nations without exception. In following the polestar of independence and republican government it was pursuing political ideals so dear to the people as to have produced their nationhood. In championing the independence and liberties of the republican New World against the intrusions of the monarchical Old World it was upholding both its own interests and its own ideals, which were the interests and

ideals of both American continents.\* In the Monroe Doctrine, as promulgated in the year 1823, there was a perfect union of interest and ideal. That doctrine expressed for the Western Hemisphere the final fruitage in policy of the Era of Emancipation: the independence of the republican New World and its separation from the wars and power-politics of monarchical Europe. I say it expressed the republican independence of the New World; it by no means guarded it effectively or guaranteed it, neither at the time of its pronouncement nor for a long time to come.

Occasionally a twentieth-century historian,<sup>1</sup> usually writing in the Spanish language and well aware of the transcendent significance of the pristine Monroe Doctrine as a dictum of America for the Americans, would forsooth capture for President Monroe's original message a Spanish or a Latin American origin, particularly the non-colonization principle and the concept of two distinct and separate spheres of politics, American versus European. Such writers point to certain historical but isolated expressions of theory that by no means prevailed in their day. Thus the Spanish friar Francisco de Vitoria, exploring in the sixteenth century the theory of sovereignty and the relations of sovereigns to each other and to peoples, maintained piously that America and its aboriginal peoples could not be the object of occupation or colonization by Christian sovereigns, that is to say, by European powers. Nevertheless they were conquered and colonized. Again, the Emperor Charles V in 1519, with great convenience to himself and his Spanish heirs, promulgated a law, ratified by Philip II in 1563 and by Charles II in 1681, declaring the inviolability and indivisibility and non-alienability forever of the American possessions and peoples of the Crown of Castile. But portions of them, like Louisiana and the Floridas, were subsequently ceded to other powers. In 1750 Spain and Portugal settled their boundary dispute in South America by a treaty which stipulated that in case of war between themselves in Europe they would remain neutral in their dominions in America. Notwithstanding this treaty the two monarchies did fight again in South America, and that soon. Such writers cite with more force a proposition conceived by John Adams in the Continental Congress that the United States should stipulate in

\* That this involved the recognition of monarchical forms of government, unexpectedly and momentarily in the short-lived Empire of Iturbide in Mexico, and consciously and deliberately but regretfully in Brazil, does not invalidate the republican ideal that inspired the Latin American policy of the United States. President Monroe regretted that Brazil was an empire but rejoiced in its separation from Europe. There was distinction between an American monarchy and an European monarchy in America.

any treaty of alliance the untouchability of the continent of North America by a European power, even an ally against Great Britain.

Interesting as it may be to compare these ideas with the principles of the Monroe Doctrine—(1) non-colonization, (2) abstention of the United States from the wars of European powers in matters relating to themselves, (3) America for the Americans—it is enough to say that none of them prevailed at the time of their utterance, except John Adams's proposal, and that on North American initiative in the Franco-American alliance of 1778. The idea of abstention from European wars and entanglements was the product of the diplomatic experience of the Anglo-American Revolution and the relations of the United States with Europe during the ensuing wars of the French Revolution. The principle that the New World was closed to further European colonization had its roots in the menace of territorial transfer to which we have given so much attention in the previous chapters, and in the desire to keep territory in this Hemisphere free from the commercial restrictions of European colonial systems.<sup>2</sup>

It was the relationship of legitimist Europe to Spain and to revolutionary Spanish America, and the predicament of British diplomacy after the peace settlement of 1815 that provoked the Monroe Doctrine in full concept. From a village capital on the banks of the Potomac River, President James Monroe in 1823 proclaimed to the world the two principles already noted, of non-colonization and abstention, plus the added dictum, a corollary of the doctrine of abstention from Europe, the nonintervention of European powers in the affairs of the New World. To the European situation we must now turn.

British policy after the overthrow of Napoleon and the Treaty of Vienna embraced these principal objectives: (1) international appeasement and repose, meanwhile the recuperation and development of the triumphant British Empire and the expansion of markets for the new English manufactures thrown up by the Industrial Revolution; (2) as necessary for the first objective, the enforcement of the specific purpose of the Quadruple Alliance (Austria, Great Britain, Prussia, Russia) as confirmed and restated in 1815: to maintain the peace of Europe by preventing another revolutionary irruption of France; (3) to countenance the institution of monarchy but without intervening to protect particular monarchs against internal revolutions except in France for the one purpose here noted, for despite their sympathy for repression of revolution everywhere the ruling Tory classes could not safely deny the origin of the English dynasty and government in the Revolution

of 1688; (4) to preserve in Europe the balance of power so favorable to British prestige and influence not only on that continent but also all over the world; (5) to prevent the rise of any rival empire that might challenge the absolute supremacy of Britain on the seas.

Britain's continental allies, on the other hand, would fain use the Quadruple Alliance to repress revolution wherever it might raise its head against a legitimist divine-right ruler. For this purpose Alexander I of Russia proclaimed in 1815 the Holy Alliance, signed originally by himself, the King of Prussia, and the Emperor of Austria, and promptly adhered to by all the absolute monarchs and potentates of Europe except for the Sultan of Turkey, who was not a Christian; the Pope, who was a Christian but not an hereditary prince; and the Prince Regent of Great Britain, who was a nominal Christian and an hereditary prince but not an absolute monarch—he had to content himself with a personal letter to the Czar applauding the principles of the Holy Alliance without binding his government, which was responsible only to Parliament.

For the first few years, that is, until after the Conference of Aix-la-Chapelle of 1818, Lord Castlereagh, Foreign Minister of Great Britain (1812-1822) and draftsman of the diplomatic bond that united the Four, was able to hold the Quadruple Alliance to its strict purpose as interpreted by his government; but in 1820 the continental allies got out of British control when liberal revolutions based on the sovereignty of the people and representative government took place in Spain, Naples, Piedmont, Portugal, and threatened to break out all over Europe, even in England itself. At the Conferences of Troppau-Laibach (1820-1821) the Holy Allies, despite the dissent of Great Britain, gave a mandate to Austria to put down revolution in Naples and in Piedmont lest it spread to their own states. At the Conference of Verona in 1822 they overrode British opposition and approved French military intervention in Spain to tear up the new constitution there and restore the absolute authority of Ferdinand VII. They even announced that if Great Britain (ally of Spain since the Peninsular War) should take the side of the Spanish constitutionalists they would come to the aid of France.

Castlereagh had failed in his task of holding the Quadruple Alliance to the compass of British policy. Overburdened by the immense responsibilities and labors of his office, his reason faltered and he made way with his own life, on the eve of the Conference of Verona. His great rival, George Canning, never a believer in European conferences,

succeeded him (1822-1827). France invaded Spain. Britain's army of the Napoleonic wars no longer existed, and the fleet was powerless to stop a continental force from crossing the Pyrenees. Moreover, the Prince Regent, the Duke of Wellington, and the Tory leaders sympathized with the French intervention as long as it limited itself to the suppression of revolution and did not extend its force beyond the boundaries of Spain.

With the Quadruple Alliance in ruins in Europe and the political front divided at home, the new Foreign Minister went as far as he could when he stated in the House of Commons that he hoped the Spanish constitutionalists would win: "Indifference we can never feel towards the affairs of Spain: and I earnestly hope and trust that she may come triumphantly out of the struggle."<sup>3</sup> As hostilities broke out south of the Pyrenees, Canning communicated to the French Government, through a despatch (March 31, 1823) to the British Ambassador at Paris, a formal warning implying that war with England would follow if France (1) should establish a permanent military occupation of Spain, (2) should appropriate any portion of the Spanish colonies, (3) should violate the territorial integrity of Portugal. On the first and third of these points France had already given assurances, but she remained ominously silent about the Spanish colonies. Since the withdrawal of the allied army of occupation following the Congress of Aix-la-Chapelle, French policy had reassumed its traditional character of opposition to British plans both in the Old World and the New,<sup>4</sup> and had begun to design independent monarchies under Bourbon princes and French influence for Spanish America.<sup>5</sup>

Canning concluded his despatch of March 31, 1823, which significantly was published in England within five days after its signature, with a grave and measured statement of Great Britain's position, most instructive to the student of the origin of the Monroe Doctrine and the Latin American policy of the United States. It contained these words:

"With respect to the Provinces in America, which have thrown off their allegiance to the Crown of Spain, time and the course of events appear to have substantially decided their separation from the Mother Country; although the formal recognition of those Provinces, as Independent States, by His Majesty, may be hastened or retarded by various external circumstances, as well as by the more or less satisfactory progress, in each State, towards a regular and settled form of Government. Spain has long been apprized of His Majesty's opinions upon this subject. Disclaiming in the most solemn

manner any intention of appropriating to Himself the smallest portion of the late Spanish possessions in America, His Majesty is satisfied that no attempt will be made by France, to bring under her dominion any of those possessions, either by conquest, or by cession, from Spain.”<sup>6</sup>

The Quadruple Alliance was dead. British diplomacy had been unable to keep it disciplined for the single purpose of preventing the resurrection of French power. How could the diplomatic defeat<sup>7</sup> in Europe now be compensated? Where else could Canning enlist support against possible French intervention in the affairs of Latin America, first step perhaps in the revival of a French colonial empire and of French sea power? The British Foreign Minister turned to the United States, where the situation seemed to be favorable to an Anglo-American entente.

Under Castlereagh's general policy of appeasement and repose, Anglo-American relations had been steadily ameliorating, particularly in regard to the vital territorial questions of North America. After the War of 1812 Great Britain had abandoned all connection with the Indians, all thought of blocking the western expansion of the United States, at least to the Rocky Mountains. The Rush-Bagot agreement of 1817, providing for naval disarmament of the Great Lakes, confirmed this new attitude. The treaty of 1818 of boundaries, navigation, and fisheries, was another evidence of the new policy of live and let live. Contemporaneously the British attitude toward the Florida question evidenced a resolve not to harass the continental position of the United States.

To be sure, the British Minister at Washington, Stratford Canning, had objected excitedly to a bill proposed in Congress for a government establishment at the mouth of the Columbia River, only to be told by Secretary Adams that the United States would resist the claim of Great Britain to any new colonial establishments on the North American continent; but this passage between the diplomatists seems to have been entirely upon the initiative of the British Minister, and his superiors preferred not to pursue it further. It is of interest to us here as the first expression in diplomatic conversations of the non-colonization principle, presently to find expression in the Monroe Doctrine. On the Northwest Coast both the United States and Great Britain were protesting the attempt of the Czar of Russia to extend his sovereignty southward to 51° North Latitude and out into the high seas one hundred miles from shore, a claim which gave Adams an opportunity again, and most pointedly, to assert his non-colonization prin-



ciple: "I told him [Baron Tuijl, the Russian Minister at Washington] specially, that we should contest the right of Russia to *any* territorial establishment on this continent, and that we should assume distinctly the principle that the American continents are no longer subjects for *any* new European colonial establishments."<sup>8</sup>

The opposing attitude of the United States and Great Britain as to the independence of the new states of Latin America remained the outstanding difference in policy. If Castlereagh had endeavored, by talking vaguely about a possible Allied mediation, to hold off recognition by the United States of the Latin American republics, Great Britain though annoyed had made no protest when Monroe's Government had acknowledged their independence. Now the two powers had come to see almost eye to eye on the Holy Alliance and the possibility of European intervention in the New World.

The United States, like Great Britain, had declined to join the Holy Alliance, when so invited by the Russian Czar in 1820. In his instructions to Middleton, Minister to Russia, politely declining the invitation, John Quincy Adams, formulator of the non-colonization principle, expressed the other two major dicta of the Monroe Doctrine of 1823: abstention from European entanglements and wars, separation of the two political worlds of Europe and America. "The political system of the United States is . . . extra-European. To stand in firm and cautious independence of all entanglement in the European system, has been a cardinal point of their policy under every administration of their government from the peace of 1783 to this day. . . . It may be observed that for the repose of Europe as well as of America, the European and American political systems should be kept as separate and distinct from each other as possible."<sup>9</sup>

The United States, like Great Britain, looked with apprehension upon the possibility of support by any European power to crumbling Spanish sovereignty in the New World. Canning's course in dealing with the Spanish question, particularly his published despatch of March 31, 1823, to France, added to the improved tone of Anglo-American feeling. "Even Adams has caught a something of the soft infection," reported the British Minister from Washington. The Secretary of State had mentioned to him that in separating herself from the councils and measures of the European alliance, Great Britain had avowed principles which were emphatically those of the United States and disavowed principles which the United States abhorred.

"This coincidence of principle," Adams took occasion to say, "con-

nected with the great changes in the affairs of the world, passing before us, seemed to me a suitable occasion for the United States and Great Britain to compare their ideas and purposes together, with a view to the accommodation of great interests upon which they had heretofore differed.”<sup>10</sup>

Adams of course was referring to his desire for a settlement of long-standing issues between the two countries: suppression of the slave trade with its attendant controversy over visit and search, commercial intercourse with the British colonies, neutral rights and the freedom of the seas. He explicitly disavowed any idea of an alliance with Great Britain.

From this soft American infection, George Canning in London chose to divine a possibility of cooperation with Great Britain in opposing European intervention in Latin America. An opportunity came when Richard Rush, the United States Minister, casually asked about affairs on the Continent, and remarked that “should France ultimately effect her purpose of overthrowing the constitutional government in Spain, there was at least the consolation left, that Great Britain would not allow her to go further and stop the progress of emancipation in the colonies.” The British note of March 31, 1823, to France, Rush judged, indicated that England would not remain passive.

In this transient remark Canning was quick to see an opening.

“What do you think your Government would say to going hand in hand with England in such a policy?” he asked Rush. “Not that any concert of action under it would become necessary, because I fully believe that the simple fact of our two countries being known to hold the same opinions would, by its moral effect, put down the intention on the part of France, if she entertains it. I base this belief upon the large share of the maritime power of the world which Great Britain and the United States share between them, and the consequent influence which the knowledge of their common policy, on a question involving such important maritime interests, present and future, could not fail to produce everywhere.”

“I am unable to say in what manner my Government would look upon such a suggestion, . . .” Rush replied, “but I will communicate it in the same informal manner in which you have thrown it before me.” Then he added acutely: “I can hardly do this to full advantage unless you will at the same time enlighten me as to the precise situation in which England stands in relation to those new communities,

and especially on the material point of acknowledging their independence."

Canning answered that Great Britain would not object to an accommodation between Spain and the colonies which might even secure to Spain commercial advantages not extended to other nations. Great Britain would not offer her mediation again, but would not interfere to prevent a compromise.

"Is Great Britain at this moment taking any steps," Rush asked more specifically, "or contemplating any which have reference to the recognition of these new communities, that being the point on which the United States would naturally feel most interest?"

"None whatever, as yet," admitted Canning, "but she is on the eve of taking one of a preparatory nature, which will leave her at large to recognize or not, according to the position of events at a future period."<sup>11</sup>

The "preparatory step" which the British Government was then "on the eve of taking" proved to be the sending of consuls to Mexico, Colombia, Peru, Chile, and Buenos Aires, and commissioners of inquiry to Mexico and Colombia. The United States had sent consuls as early as 1811 and a commission of inquiry to South America in 1817. It had opened its ports to vessels bearing the flag of the new states from the beginning of their revolt; Great Britain did not do so until 1822. Now she still declined to recognize that independence which the United States had already acknowledged to the world.

This was the first of several conversations between the two men in August and September, 1823, during which Canning formally proposed in writing that the United States and Great Britain issue a joint declaration of policy in regard to the Spanish American question as follows:

"1. We conceive the recovery of the Colonies by Spain to be hopeless.

"2. We conceive the question of the recognition of them, as Independent States, to be one of time and circumstances.

"3. We are, however, by no means disposed to throw any impediment in the way of an arrangement between them and the mother country by amicable negotiations.

"4. We aim not at the possession of any portion of them ourselves.

"5. We could not see any portion of them transferred to any other Power, with indifference."<sup>12</sup>

The British Foreign Minister asked Rush if he had powers to sign a convention on this subject. In repeated conversations until September 26 he urged the desirability of such a joint pronouncement. He stated

that he had just received "notice" that as soon as the French occupation of Spain was completed a conference of the Allies would be proposed to discuss the affairs of South America.<sup>13</sup> The American Minister explained that he had no powers on the subject, but hinted that he might join in the proposed declaration *if* Great Britain would first recognize the independence of the Latin American republics. He made up his own mind to participate in the joint statement if Canning on his part would recognize the new republics as the United States had done. If such a step, under this condition, would benefit his own Government, well and good; if not, Government could disavow him. Rush was willing to risk his career for the independence of the New World.<sup>14</sup>

A parallel or even joint recognition of independence is what Monroe's Administration had been suggesting to London ever since 1818, in order to detach Britain from her continental allies. Castlereagh consistently had avoided the proposal, that is, to underwrite the Latin American policy of the United States: namely, independence and republics. Canning was unwilling to substitute immediate recognition for point 2 of his memorandum. He insisted on leaving this vital question to "time and circumstances"—the most noncommittal formula any diplomat could conjure. Rush said that he must wait for instructions from his Government.

Soon the American Minister had misgivings about the wisdom of his hint to Canning. He became wary of the motives of Great Britain. They sprang, he suspected, from "the apprehensions which are now probably coming upon her, touching her own influence and standing through the formidable and encroaching career of these continental potentates. She at last perceives a crisis likely to come on, bringing with it peril to her own commercial prospects on the other side of the Atlantic, and to her political sway in both hemispheres. Hence probably some of her recent and remarkable solitudes."<sup>15</sup> He became convinced of this when Canning suddenly ceased to talk any more about the subject and begged Rush to regard it merely as a tentative inquiry rather than a formal proposal.

Canning, uncertain whether Rush could secure the assent of his government to the proposal, could not wait in the emergency for the correspondence to cross and recross the Atlantic. He therefore turned to direct conversations with the French Ambassador at London, Prince Polignac, and notified him that Great Britain would not allow France to intervene in the Spanish American provinces.

It was one thing for the French army, backed by the moral support

of the Holy Allies, to penetrate the Pyrenees; it was another matter to cross the Atlantic to Spain's colonies. In the so-called Polignac Memorandum of October 9, 1823, which was a formal record of these conversations, the French Ambassador, speaking for his government, was obliged to agree:

"That his Government believed it to be utterly hopeless to reduce Spanish America to the state of its former relation to Spain.

"That France disclaimed, on Her part, any intention or desire to avail Herself of the present state of the Colonies, or of the present situation of France toward Spain, to appropriate to Herself any part of the Spanish Possessions in America. . . .

"That She abjured, in any case, any design of acting against the Colonies by force of arms."<sup>16</sup>

It was this British "ultimatum," which rested on the controlling force of the navy, that cut short any ambitious plans that France alone might have developed amidst the ruins of Spanish America. It did not, however, put a full quietus on plans for a conference of the Allies to consider the South American question. In the Polignac Memorandum France had by no means renounced a conference. In November, 1823, Ferdinand VII requested it. The Allies themselves were divided as to the wisdom of such a meeting. Russia, an American power, with a trading post as far south as California, was eager for a conference, and the Czar was willing as usual to lend himself to the common purpose of suppressing revolutions. But it is doubtful whether Alexander I would have agreed to any solution of the colonial question with England absent. Neither Austria nor Prussia had interests in America; consistent champions of the principle of legitimacy in Europe itself they were apathetic about a conference for trans-Atlantic purposes and opposed to any program of intervention across the ocean. Had there been a conference it is not likely that it would have sanctioned any reconquest of Latin America. As Canning himself said, the news of the Monroe Doctrine gave the *coup de grâce* to the whole idea. There was no conference.

When President Monroe and his advisers discussed the import of Rush's despatches they did not know of this Polignac Memorandum, although the attitude of Great Britain might be divined from the earlier warning to France of March 31, 1823, or from Canning's proposal to Rush. The Government at Washington was excessively worried, during these weeks of deliberation, in October and November, over what were esteemed to be significant communications from the

Russian Minister at Washington. The first of these<sup>17</sup> announced that the Czar, in conformance with the principles of his allies, would not receive any agents whatsoever from any of the rebel governments in America. It suggestively expressed satisfaction that the United States, in recognizing the independence of those governments, had proclaimed its intention to continue neutral. A second note declared the Emperor's policy in general to be that of guaranteeing the tranquillity *of all the states of which the civilized world was composed*—this meant the supremacy of Spain over her colonies, the Minister explained, when pointedly asked by Adams at the President's request. To Monroe and his advisers, all except the perspicacious Secretary of State, it looked as though Alexander I intended to back up an intervention of the allied powers. Adams was reasonably confident that the British Government would oppose such a move even if the Allies could agree on it, which he considered unlikely. Canning's very proposal to the United States suggested that European intervention would not be likely. He realized that England had already separated from her allies of 1814.

The President and the other members of the Cabinet did not feel so easy about Europe as did the Secretary of State. Let us now turn to the deliberations in Monroe's Cabinet that took place after the President opened Richard Rush's despatches of the late summer of 1823.

## CHAPTER V

### *Pronouncement and Effect of the Monroe Doctrine (1823-1826)*

THE "crisis" implied by Rush's accounts of his interviews with Canning impressed President Monroe prodigiously. Upon receipt of Rush's despatches, which arrived in Washington a few days before Adams's return from a long visit to Massachusetts, Monroe sought the advice of two of the three elder statesmen and former Presidents: Thomas Jefferson and James Madison, both of whom had dealt with the great territorial problems that had arisen in North America from the disruption of the Spanish Empire. He did not consult the one other ex-President, John Adams, perhaps because that elder statesman's competent son would soon be at hand. To his fellow-Virginians Monroe declared that he believed the United States ought to accept the overture of Great Britain.

They agreed. Jefferson, who had been reading the Abbé DePradt's new book on *Europe after the Congress of Aix-la-Chapelle*, responded as follows:

"Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe, our second never to suffer Europe to intermeddle with Cis-Atlantic affairs. America, North and South, has a set of interests distinct from those of Europe, and peculiarly her own. She should therefore have a system of her own, separate and apart from that of Europe. . . . Great Britain is the nation which can do us the most harm of any one, or all, on earth; and with her on our side we need not fear the whole world. With her then we should most sedulously cherish a cordial friendship; and nothing would tend more to knit our affections than to be fighting once more, side by side, in the same cause. Not that I would purchase even her amity at the price of taking part in her wars. But the war in which the present proposition might engage us, should that be its consequence, is not her war, but ours. It's [*sic*] object is to introduce and establish the American system, of *keeping out of our land all foreign powers*,<sup>1</sup> of never permitting those of Europe to intermeddle with the affairs of our nations. It is to maintain our own principle, not to depart from it. . . ."

Jefferson had considered carefully the coveted island of Cuba, when he pondered over Canning's fourth proposition: "That we aimed at no portion of the Spanish colonies for ourselves." The sage of Monticello felt that such a self-denial would be worth the price of making it, particularly because it would bind England too, and it would not necessarily prevent the annexation of a free Cuba some day to the United States.<sup>2</sup>

Madison was entirely in favor of accepting the proposal of a joint Anglo-American pronouncement. He would even go a step farther: he suggested that the two powers join also in condemning French intervention in Spain and in a declaration on behalf of the revolted Greeks in southeastern Europe. "There ought not to be any backwardness," he thought, "in meeting her [Great Britain] in the way she has proposed. . . . Our co-operation is due to ourselves *and to the world*: and whilst it must ensure success in the event of an appeal to force, it doubles the chance of success without that appeal."<sup>3</sup>

In the Cabinet all except Adams also favored the joint declaration. Secretary of War John C. Calhoun was the greatest alarmist of all. He thought this step necessary to detach Great Britain from the Holy Alliance<sup>4</sup>—this certainly showed little comprehension of European politics of that day. If the United States remained neutral, he declared, Great Britain would join the intervention of the Holy Alliance—then after South America would come the turn of North America, in order to put down the original and most successful example of democratic rebellion. Attorney-General Wirt questioned the wisdom of committing the United States to any forceful resistance of intervention, whatever pronouncement were made; he stressed the fact that the people would not fight for the independence of South America.

We may be sure that no member of the Administration, except possibly Calhoun, was in favor of war even in alliance with Great Britain. All agreed that the occasion called for a systematic exposition of foreign policy. It was the President's own suggestion that such a statement should be included in his forthcoming annual message to the Congress on the state of the Union.<sup>5</sup> Then it would be an executive monologue rather than a part in a diplomatic dialogue<sup>6</sup> which conceivably could be construed as a position taken in regard to a particular nation.

John Quincy Adams saw a catch in the British proposal. "The object of Canning," he said, "appears to have been to obtain some public pledge from the Government of the United States, ostensibly against the forcible interference of the Holy Alliance between Spain and South America; but really or especially against the acquisition to the United States



themselves of any part of the Spanish-American possessions." <sup>7</sup> He had in mind particularly Cuba and Texas, which might some day as free people seek annexation to the United States, but never to England. Already in April, 1823, Adams had extended the No-Transfer principle of 1811 (then limited to "territory adjoining the southern boundary of the United States") to the island of Cuba,<sup>8</sup> which he felt must not only never pass into the possession of another European power, but also must some day be annexed to the United States if only by what he called the law of political gravitation. Thus did a patriotic and conscientious statesman, who so recently had won title for his country to the shore of the Pacific Ocean, launch the No-Transfer principle upon the seaways that would control the future naval communications between the two coasts of North America.

We know today that the motive of the Canning proposal was not *principally* to pledge the United States against the acquisition of further territory out of the dissolving Spanish Empire, although an incidental purpose certainly was just that, particularly as to Cuba.<sup>9</sup> We have seen that his principal purpose was rather to make convenient use of the United States in the scale of world politics to balance against setbacks which British diplomacy had suffered from the continental Allies.

With shrewd instinct Adams sensed this. "I remarked," he records, "that the communications recently received from the Russian Minister, Baron Tui [sic], afforded, as I thought, a very suitable and convenient opportunity for us to take our stand against the Holy Alliance, and at the same time to decline the overture of Great Britain. It would be more candid, as well as more dignified, to avow our principles explicitly to Russia and France, than to come in as a cock-boat in the wake of the British man-of-war." <sup>10</sup>

In the end Adams's advice on this point prevailed. He further persuaded the President not to champion the Spanish or Greek revolutions in his message. He advised against all interference with the political concerns of Europe. He urged the President to express the hope and expectation that the European powers would equally abstain from any attempt to spread their principles in the American Hemisphere, or to subjugate by force any part of these continents to their will.<sup>11</sup> On this last point, which coincided with the ideas of Jefferson, Adams was repeating an idea common to all the elder statesmen. Thus before the pronouncement of the Monroe Doctrine Adams had urged all three of its principal dicta: the non-colonization principle (which was original with him, although rooted in the No-Transfer principle and the North Ameri-

can territorial questions of the period); abstention from European wars and entanglements (which was instinctive with the statesmen of North American independence); and exclusion of Europe from the American Hemisphere, a new corollary of Washington's Farewell Address, which had crystallized during the many public discussions of policy that attended the revolution of the Spanish colonies. If we mean putting all these ideas together at the right time and pronouncing them with a strong republican tone, John Quincy Adams more than any other one man helped formulate the Monroe Doctrine in 1823. But President Monroe was responsible for the message, the Secretary of State deferred properly to the President's leadership, and the Doctrine appropriately bears Monroe's name.

Here is precisely what the original Monroe Doctrine said, in its principal passages, which are taken *verbatim et literatim* from the President's message of December 2, 1823:<sup>12</sup>

"At the proposal of the Russian Imperial Government, made through the Minister of the Emperor, residing here, a full power and instructions have been transmitted to the Minister of the United States at St. Petersburg, to arrange by amicable negotiation, the respective rights and interests of the two Nations on the North West Coast of this Continent. A similar proposal has been made by His Imperial Majesty, to the Government of Great Britain, which has likewise been acceded to. The Government of the United States has been desirous by this friendly proceeding, of manifesting the great value which they have invariably attached to the friendship of the Emperor, and their solicitude to cultivate the best understanding with his Government. In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper, for asserting as a principle in which the rights and interests of the United States are involved, that the American Continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European Power. . . .

"It was stated at the commencement of the last session, that a great effort was then making in Spain and Portugal, to improve the condition of the people of those countries; and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked, that the result has been, so far, very different from what was then anticipated. Of events in that quarter of the Globe, with which we have so much intercourse, and from which we derive our origin, we have always been anxious and interested spectators. The Citizens of the United States cherish sentiments the most friendly, in favor of the liberty and happiness of their fellowmen on that side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy, so to do. It is only when our rights are invaded, or seriously menaced, that we resent injuries, or make preparation for our defense. With the move-

ments in this Hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers, is essentially different in this respect from that of America. This difference proceeds from that, which exists in their respective Governments, and to the defence of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it therefore to candor, and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portions of this Hemisphere, as dangerous to our peace and safety. With the existing Colonies or dependencies of any European power, we have not interfered, and shall not interfere. But with the Governments who have declared their Independence, and maintained it, and whose Independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controuling in any other manner, their destiny, by any European power, in any other light, than as the manifestation of an unfriendly disposition towards the United States. In the war between those new governments and Spain, we declared our neutrality, at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur, which in the judgment of the competent authorities of this Government, shall make a corresponding change, on the part of the United States, indispensable to their security.

"The late events in Spain and Portugal, show that Europe is still unsettled. Of this important fact, no stronger proof can be adduced, than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed by force, in the internal concerns of Spain. To what extent, such interposition may be carried, on the same principle, is a question, in which all Independent powers, whose Governments differ from theirs, are interested; even those most remote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the Globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the Government *de facto*; as the legitimate for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm and manly policy, meeting in all instances, the just claims of every power; submitting to injuries from none. But, in regard to those continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers, should extend their political systems, to any portion of either continent, without endangering our peace and happiness, nor can anyone believe, that our Southern Brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference. If we look to the comparative strength and resources of Spain and those new Governments, and their distance from each other, it must be obvious that she can

never subdue them. It is still the true policy of the United States, to leave the parties to themselves, in the hope, that other powers will pursue the same course."

The text of the Monroe Doctrine itself has overshadowed the diplomatic communications which were made at the time to Russia and to Great Britain. These were drafted by John Quincy Adams and discussed in Cabinet. The President as a result of the discussions modified them slightly, mostly for amenity's sake. Not published until many years later by historians, they fill out the picture of Latin American policy that was formulated in the historic deliberations of President Monroe's Cabinet.

The first of these was a formal note to the Russian Minister, November 15, 1823. It acknowledged his communication of October 16 and in carefully courteous language explained why the United States, acting in its sovereign capacity on principles different from Russia's, had recognized the independence of the Latin American republics and received their agents. Later, November 27, 1823, John Quincy Adams read to the Baron von Tüyl a lengthy supplementary statement entitled "Observations on the Communications recently received from the Minister of Russia." The Government of the United States, explained the Secretary, while recognizing the right of nations to establish and modify their own governments according to their own judgments, and while itself espousing the republican principle, had not sought by the propagation of its own principles to disturb the peace or to intermeddle with the policy of any part of Europe. It had recognized the established independence of the former Spanish colonies and entered into political and commercial relations with them, "relations the more important to the interests of the United States, as the whole of those emancipated Regions are situated *in their own Hemisphere, and as the most extensive, populous and powerful of the new Nations are in their immediate vicinity; and one of them bordering upon the Territories of this Union.*"<sup>13</sup> In the existing contest between these states and their mother-country it would remain neutral as long as the European powers did. "In the general declarations [of the Russian Minister] that the allied Monarchs will never compound, and never will even treat with the *Revolution* and that their policy has only for its object by *forcible* interposition to guaranty the tranquillity of *all the States of which the civilized world is composed*, the President wishes to perceive sentiments, the application of which is limited, and intended in their results to be limited to the Affairs of Europe. That the sphere

of their operations was not intended to embrace the United States of America, nor any portion of the American Hemisphere."

Finally, this statement to Russia ended with a declaration of policy that included a principle not wholly embodied in the text of the contemporary Presidential message, namely the No-Transfer principle: "That the United States of America, and their Government, could not see with indifference, the forcible interposition of any European Power, other than Spain, either to restore the dominion of Spain over her emancipated Colonies in America, or to establish Monarchical Governments in those Countries, or to transfer any of the possessions heretofore or yet subject to Spain in the American Hemisphere, to any other European power."<sup>14</sup>

Is it not clear that the expanding territorial questions of the West and Far West, meaning simply *the Continental Republic*, were moving the President and his Secretary of State as they formulated these fundamental principles of foreign policy so vital to their native land?<sup>15</sup>

The response to Canning's proposal to Rush was in the form of instructions by the Secretary of State to the Minister in London, dated November 29, 1823. These declared that the United States was in agreement with the points proposed by Canning *if* there were coupled to them a recognition of the independence of the Latin American states. Only on this basis would the United States be willing to move in parallel but separate action with Great Britain. "Should an emergency occur, in which a *joint* manifestation of opinion by the two governments may tend to influence the Councils of the European allies, either in the aspect of persuasion or of admonition, you will make it known to us without delay, and we shall according to the principles of our government, and in the forms prescribed by our Constitution, cheerfully join in any act by which we may contribute to support the cause of human freedom, and the independence of the South American nations."<sup>16</sup>

This, of course, left to Congress responsibility for any possible joint action under the circumstances that might exist in the unknown future. It should be said that, because Canning had never referred again to his famous proposals, Rush did not even convey to him the sense of these instructions.

Nor was Adams willing to concert with Great Britain on the No-Transfer Policy. In a separate instruction to Rush of November 30, devoted to the possibility of a European Congress on Spanish America, the Secretary stressed the policy of his country in recognizing the in-

dependence of the new states, and in opposing the transfer of sovereignty over American territory. "So long as Great Britain withholds the recognition of that [independence]," he stated, addressing himself to the idea of concert of policy with Great Britain, "we may, as we certainly do, concur with her in the aversion to the transfer to any other power of any of the Colonies in this Hemisphere, heretofore or yet, belonging to Spain; but the principles of that aversion, so far as they are common to both parties, resting only upon a casual coincidence of interests, in a national point of view *selfish* on both sides, would be liable to dissolution by every change of phase in the aspect of European politics."<sup>17</sup>

The unexpected news of the Monroe Doctrine piqued Canning and nettled the continental chancelleries, despite their professions of indifference and contempt for it. Nevertheless financial securities of the new states rose on the London exchange, and those of Spain fell, as they did also in Paris, as soon as the message became known.<sup>18</sup> After his settlement directly with Polignac, Canning successfully persuaded the United States to regard as confidential his proposal, or as he now chose to call it, his tentative "sounding"<sup>19</sup> of Rush. He did not wish to enhance the prestige of the United States at Britain's expense in the eyes of the Latin American nations. He did not want them to know that the United States had insisted, as the price of any joint *démarche*, on Britain's recognition of the independence of their republics. He wished Great Britain to get exclusive credit in their eyes—and corresponding influence—for frustrating any conceivable European intervention. This is why the Monroe Doctrine vexed him so.

After the President's message reached Europe, the British Foreign Minister had the Polignac Memorandum lithographed<sup>20</sup> and passed around to offset Monroe's statement and to help undo the diplomatic defeat suffered at the hands of Richard Rush and John Quincy Adams.<sup>21</sup> But he soon learned to make the best of the new American doctrine ostensibly, and he even took some credit for it with his own diplomatic service. Unblushingly he allowed that the President had "assisted" him in safeguarding Latin America. "The effect of the ultra-liberalism of our Yankee co-operators," he wrote to his minister in Washington, "or the ultra-despotism of Aix-la-Chapelle allies, gives me just the balance that I wanted."<sup>22</sup> Without the slightest diffidence he later personally assumed credit for the independence of the new states which American diplomacy had by then impelled Great Britain

to recognize for her best interests. "I called the New World into existence," he boasted in 1826, "to redress the balance of the Old."<sup>23</sup>

However distasteful the use of the pronoun, or unjustified the assertion itself, it revealed the *motive*: to use the United States for the purpose of British diplomacy in keeping the balance of power in Europe. The aim of American diplomacy was exactly the opposite: to keep the independent republics of the New World separated from the power-politics of Europe. Whatever the other motives of the Latin American policy of the United States, that aim remained constant.

In Latin America the liberal elements received the Monroe Doctrine most cordially.<sup>24</sup> They did not fail immediately to perceive its useful diplomatic possibilities for themselves. Two governments, Brazil and Colombia, endorsed it. But the men who governed the new states realized that it was the British navy that counted more than the republican ideals of President Monroe. The conservative leaders, those distrustful of republicanism and leaning toward monarchy, in short the pro-British contingents, disliked the Doctrine. If there had been any original doubt in their minds about what governed the situation, it was removed when the United States declined the overtures of five of the new states either for actual alliance, as in the case of Chile (1824), Colombia (1824), and Brazil (1825), or assurance of contingent assistance, as requested by Mexico (1825) and the United Provinces of the Rio de la Plata (1826) for the enforcement of the Doctrine, and when it showed no enthusiasm for a general Pan American mutual defense pact such as was projected at the abortive inter-American conference at Panama in 1826, to which the United States sent delegates so belatedly that they failed to get there in time.<sup>25</sup>

If the replies of the United States to these several solicitations were evasive, it must be noted that except in the case of Mexico the importunities were only nominally against the Holy Alliance; really it was the hope of each state to involve the United States in the existing war against the mother country, or in the instance of the United Provinces, in their war against Brazil.

Colombia was the first to inquire just how the United States intended to enforce the Doctrine, and to ascertain whether it could not be turned to some immediate advantage. Acting on instructions from his government, the Colombian Minister at Washington asked:

"In what manner the Government of the United States intends to resist on its part any interference of the Holy Alliance for the purpose of subjugating the new Republics or interfering in their political forms: if it will enter

into a Treaty of Alliance with the Republic of Colombia to save America in general from the calamities of a despotic system; and finally if the Government of Washington understands by foreign interference the employment of Spanish forces against America at the time when Spain is occupied by a French Army, and its Government under the influence of France and her Allies.”<sup>26</sup>

By this time the Polignac Memorandum was known in Washington. Everybody realized Spain could get no help in Europe.

Adams answered that the fact that Spain was occupied by France would not change the neutrality of the United States in regard to the employment of Spanish forces in America. The action which the United States might take in any future emergency would depend on Congress. As to the invitation for an actual alliance, the Secretary of State responded:

“As however the occasion for this resort [the President laying the matter before Congress] could arise only by a deliberate and concerted system of the allied Powers to exercise force against the freedom and independence of your Republic; so it is obvious that the United States could not undertake resistance to them by force of Arms, without a previous understanding with those European Powers, whose Interests and whose principles would secure from them an active and efficient co-operation in the cause— This there is no reason to doubt, could be obtained, but it could only be effected by a negotiation preliminary to that of any alliance between the United States and the Colombian Republic, or in any event coeval with it.”<sup>27</sup>

That is to say, in John Quincy Adams’s own words, the effectiveness of the Monroe Doctrine depended not only upon Congress but also upon Great Britain. After such a statement it was not unnatural that the Latin American states leaned heavily on British patronage in the rivalry for prestige, trade, and influence that ensued between Great Britain and the United States.<sup>28</sup> British predominance as a low-cost manufacturing nation and as a source of loans to the new governments also proved irresistible attractions.

Nothing is clearer from these diplomatic exchanges of the United States with some of the new states, and from debates in Congress, particularly on the Panama Congress, than the unilateral and non-binding character of the Doctrine. As President, John Quincy Adams would have been willing to have the United States delegates to Panama empowered to sign a convention affirming, as doctrines of inter-American public law, the principles of nonintervention and non-colonization, without any pledge to enforce them other than in the territory of each signatory. But the debates left no doubt that Congress was opposed even



to this. Perhaps the best exposition of the equivocal force of the Doctrine is to be read in a despatch sent to the United States Minister in Buenos Aires, in 1828:

"The declaration of the late President," explained Secretary of State Henry Clay, "was that of the head of the Executive Government of the United States. Although there is every reason to believe that the policy which it announced was in conformity with the opinion both of the nation and of Congress, the declaration must be regarded as having been voluntarily made, and not as conveying any pledge or obligation, the performance of which foreign nations have a right to demand. When the case shall arrive, if it should ever occur, of such an European interference as the message supposes, and it becomes consequently necessary to decide whether this country will or will not engage in war, Congress alone, you well know, is competent, by our Constitution, to decide that question. In the event of such an interference, there can be but little doubt that the sentiment contained in President Monroe's message, would still be that of the People and Government of the United States."<sup>29</sup>

Great Britain was no more willing than the United States to pledge herself, after the Polignac Memorandum, to help the new states of Latin America resist any future attack.<sup>30</sup>

Historical scholars have agreed that there was no real danger of Allied intervention by force to restore Spanish America to Spain. Any conceivable danger that there might have been, from France, was stopped by the Polignac Memorandum. Because of this, there has been a tendency to dismiss the Monroe Doctrine as a mere trumpet-blast safely and somewhat impudently blown behind the protection of the British navy, and from that to conclude that it did no real good to Latin America.

This is an exaggerated and distorted view. We have observed that Monroe and his advisers did not know of the Polignac Memorandum. Canning had them scared. Except for John Quincy Adams they really feared that some sort of European mischief was afoot in the New World at the cost of republican independence, and even he was nervous. "I consider the cause of that country [South America], as essentially our own," wrote the President to Jefferson sending him a copy of the message just off the press. "That the crisis is fully as menacing, as has been supposed, is confirmd [*sic*] by recent communication, from another quarter [Russia]. . . ." <sup>31</sup> Under these circumstances the announcement of the Monroe Doctrine was a courageous and independent act calculated to suit the policy of the United States rather than that

of Great Britain. It is true that the Doctrine had no real force behind it. It was only a pronouncement, if you please, but it contained powerful words nevertheless, words that both served the immediate interests of the United States and exalted for the whole Hemisphere the ideals of independence and the sovereignty of the people. The immediate service to the New World of the Monroe Doctrine at the time of its origin was not in preventing European intervention against the independence of an American state but in galvanizing the preponderant *republican character* of the new states at the outset. In doing this it was loyal to the ideology of the Anglo-American Revolution and the French Revolution, both of which were anathema to the Holy Alliance and to Tory England. It would be a long time, if ever, before the United States would be in a position alone to make good all these words in the face of any conceivable challenge, but they did honor as they were uttered to the statesman who formulated them, to the President who spoke them, to the republic which sponsored them, and to the New World which listened to them.

The Monroe Doctrine, following the earlier recognition by the United States of the republics of Latin America, had the effect of impelling Great Britain at last to recognize the independence of the new states *de jure* in 1825, despite their distasteful form of republican government. Her immediate consolation was the continuation of monarchy in Brazil after the separation from Portugal in 1822. British good offices in 1825 brought about a peaceful recognition by the King of Portugal of his son as Emperor of Brazil. "It was a blow," records the British authority, Professor Webster, "to the United States, which had sought by the inculcation of republican institutions and separation from Europe to enforce its own leadership of the New World."<sup>32</sup> Later, in 1828, British diplomacy won another triumph by mediating successfully between Brazil and the United Provinces of the Plata to establish the independent Republic of Uruguay.

Following the Era of Emancipation the principal objective of the United States in dealing with the South American nations, and one of the purposes of its diplomacy with all of Latin America, was the negotiation of treaties of amity, commerce and navigation that would conform with the model Plan of 1776 for treaties with foreign powers, on which the general treaty structure of the nation rested. These principles were: reciprocal equality of commerce and navigation on the conditional most-favored-nation basis, and the mooted dicta of inter-

national law known as the Freedom of the Seas.\* Great Britain had refused to accept such treaties with the United States, and after the Napoleonic period France and Russia had gone over to British practice. In her treaties with the Latin American nations Great Britain rejected the American dicta. Thus the treaties of the United States with the new republics during the period 1824 to 1854 were a distinct contribution to the new liberal order of trade, navigation and international law for the opening to foreign commerce of the British colonial empire and the eventual adoption of the Freedom of the Seas by the great naval powers in the Declaration of Paris of 1856. It was the Anglo-American Revolution of 1776 which began this political and economic liberation. The Industrial Revolution ensured its final success.

After 1826 South America ceased to have for the United States the dominant interest which had animated the nation since the War of 1812. Latin American policy focused again on continental borderlands that stood in the pathway of expansion to the Pacific Ocean, and then on the seaways and their island outposts that controlled the isthmian transit between the two ocean coasts of North America. This was a renewal and an extension of the great territorial questions of North America that had controlled that policy from the beginning. We must now turn to the Manifest Destiny of the United States as it worked itself out in the establishment of a Continental Republic and to its further expression in the Latin American policy of the United States.

\* These dicta were:

Free ships free goods, except for contraband of war.

Freedom of neutrals to trade between port and port of a belligerent, except for contraband of war.

A carefully defined and restricted list of contraband, expressly excepting naval stores and foodstuffs.

Blockades to be binding must be real, that is to say, maintained by a sufficient number of ships really to prevent access to an enemy port.

## CHAPTER VI

### *The Manifest Destiny of Continental Expansion (1823-1860)*

#### I

THE Monroe Doctrine, which capped the foundations of American diplomacy in 1823, was not a self-denial ordinance. The last thing that the statesmen who formulated it would have wished to do was to deny to the United States any further expansion in that part of the world where the Doctrine said hands-off to Europe, particularly in contiguous regions of the former Spanish Empire in North America, and the island of Cuba. We have seen that one of the purposes of the independent pronouncement of the Doctrine was to avoid such a self-denial. At the same time there was no thought of other than peaceful expansion. John Quincy Adams had gone further than the strict requirements of national security against a sudden transfer of territory from one European monarchy to another. His treaties with Great Britain (1818) and Spain (1819) were deliberate steps of transcontinental expansion, taken in the seven-league boots of Adamsonian diplomacy. His goal was the Pacific Ocean. As during the Era of Emancipation the Latin American policy of the United States focused first and foremost on the Floridas and on Cuba, so after the settlement of the Florida question and the independence of continental Latin America it concentrated on the next contiguous borderland, and still on the island of Cuba. South America speedily slipped away from official interest and public notice. After 1823 we can no longer explain Latin American policy by the requirements of national security, that is security of the original territory of the republic of 1783, not to mention the Louisiana Purchase; we must interpret it in terms of the Manifest Destiny of a future Continental Republic and the larger problems of security that developed from that.

The actual phrase Manifest Destiny does not appear until the high-tide of the expansionist movement in 1845.<sup>1</sup> The feeling of it was in the air and the meaning of it was in the minds of North American statesmen, and the people sensed it from the time of the Louisiana Purchase; in fact, it was as old as the westward-moving frontier.<sup>2</sup> Jefferson, who had started Lewis and Clark across the continent before he knew he had bought Louisiana from Napoleon, had long believed that it was in the manifest course of events for the United States peaceably to displace Spain and even Britain in North America. We have seen that John Quincy Adams thought so too, that he believed that "the world [should] be familiarized with the idea of considering our proper dominion to be the continent of North America." Peaceful continental expansion came to be the most popular credo of American nationalism in the first half of the nineteenth century, and this despite the political division on the issue of slavery in the new territories. The United States acquired the whole western territory from the Mississippi River to the Pacific Ocean without unjustly despoiling any civilized nation, and this statement holds good for the war with Mexico presently to be discussed. From these territorial acquisitions there resulted no appreciable dominion over alien peoples (always excepting, of course, the aborigines, if they can be called alien).

There are those historical philosophers who deprecate the Manifest Destiny of an agrarian continental expansion equally with a later more spurious Manifest Destiny of twentieth-century imperialism and who pitilessly pick to pieces its catchwords and its slogans. These same thinkers would fain believe that the United States must exercise its power and its resources to lead the whole world toward great humanitarian ideals. They forget that such elements of greatness rest upon the position of the nation and the character of its people as a Continental Republic. The Manifest Destiny of continental expansion has been the strongest and most enduring expression of American nationalism, and nationalism is still the strongest historical force in the modern world.

## 2

When the United States recognized the independence of Mexico in 1822, the vast northern territories of that republic were almost devoid of civilized inhabitants—indeed the passes of the Rocky Mountains and the great interior basin between them and California (western Colorado, Utah, Nevada) were still unexplored. Filibustering raids and

frontier anarchy had all but depopulated Texas of its frontier outposts of Spanish colonists. In the upper Rio Grande Valley, from El Paso north to Santa Fe and Taos, lived the most numerous population, about 40,000; of these a third were Pueblo Indians, the remainder mostly mestizo Spanish-speaking inhabitants.<sup>3</sup> California contained about thirty-five hundred settlers who had gone there under Spanish sovereignty, grouped in little clusters at meager river valleys near the sea, from San Diego to San Francisco Bay, the most northern outpost of the old authority. On the eastern fringe, above the new States of Louisiana and Missouri, the great plains of the Louisiana Purchase stretched unsettled by civilized people. North of them the continent extended still empty to the freezing seas of the Arctic Ocean, except for a few score of British traders in the Columbia Valley and a handful of Russians at Sitka.

Mexico was the seat of an ancient aboriginal people upon whom the Spanish had imposed a feudal structure of colonial administration, replaced after 1822 by the rule of a narrow creole minority. There was little indication that independent Mexico would people and govern those empty areas of the north to which she had won unquestioned sovereignty by her successful revolution from Spain. She could populate them only by the risky expedient of inviting colonization from the outside. In Texas, California and New Mexico, the Mexican Government exerted only the feeblest authority.

There was little possibility of effectively administering or even policing capably the uninhabited appanages marked by the political frontier that Spain had ratified in 1821. From the Mississippi Valley into the Louisiana Purchase the advance pioneers of a westward-moving, state-making population were trekking toward that new frontier from the United States, with nothing but an unsurveyed boundary to bar them in those solitudes of the continent. It did indeed seem the manifest destiny of the United States to spill over into these empty western spaces and to push its political frontiers through at least to the Rio Grande River and the coast of California.

No sooner had Adams become President in 1825 than he tried to "rectify" the boundary of that Texas from which the advice of President Monroe and his Cabinet had deflected him in the negotiation of the Transcontinental Treaty. There was no longer any divided counsel on Latin American policy, for the new President had appointed his old rival Henry Clay as Secretary of State, thus apparently settling him in the traditional succession to the White House.

It was Clay who sent the instructions to Joel Poinsett, first Minister of the United States to Mexico, to approach that government. After failing to secure "rectification" by simply asking for it, the United States was willing in 1827 to offer graduated prices for a "rectification" of the frontier of 1819 as far westward as possible: to the Rio Grande and Pecos Rivers; if not, then the line of the Colorado River (of the Gulf of Mexico), or at least the Brazos. For the boundary of the Rio Grande Adams was willing to pay one million dollars, for the Colorado half a million. In any of these proposed rectifications the new boundary would run north from the river source to meet the old treaty boundary of 1819.<sup>4</sup> Clay thought that the difficulties which Mexico was already having with American immigrants in Texas might induce her to sell to avoid later trouble. Poinsett sensed so much opposition to a rectification—unless it were to move the boundary back to the Mississippi!—that he refrained from making a formal proposal.

Of course it was not improper to offer to buy territory from a neighbor. The peaceful nature of the proposal is to be measured by the reaction to an unwillingness to sell. When it was apparent that Mexico would not sell, Adams gave up the idea, and Poinsett signed a treaty of limits which confirmed the boundary of the Transcontinental Treaty with Spain. If Mexico had been willing to sell she would have avoided the whole later Texas question, and the Mexican War that resulted from it, and the ensuing great territorial cession of 1848.

Andrew Jackson was a far more fiery apostle of Manifest Destiny than the peaceful Adams. As Clay had done in Congress, he blamed Adams for having lost Texas in 1819. As President he countenanced a boundary dispute with Mexico as to the identity of the Sabine River. He too tried in vain to buy Texas, and more than Texas, from Mexico. He authorized his minister plenipotentiary, Anthony Butler, to offer any reasonable price for a new transcontinental frontier below Adams's line of 1819: the Rio Grande north to 37° North Latitude and thence due west to the Pacific Ocean so as to include San Francisco Bay—a million square miles of territory which at that time seemed of little value. Mexico refused to sell even Texas, not to mention the territory to the west. She further refused to ratify a treaty of amity and commerce, which Jackson's plenipotentiary had signed in 1826, until the United States would ratify the boundary treaty of 1828. The two treaties received ratification together in 1832; this again evidenced the restraint of the United States even under President Jackson.

Meanwhile the Texas question had arisen in Mexico. One would

suppose that with the example of the Floridas so fresh in the history of the borderlands, the Mexican Government would not repeat the mistake of Spanish policy and invite immigrants from the United States into Texas in order to plant a putatively loyal frontier colony that would defend Mexican sovereignty over those vast distant northern lands. As well might the United States today encourage Japanese immigration into Alaska or the Argentine Republic seek for such a reason to populate Patagonia with Nazi Germans, going through the forms of naturalization and oaths of allegiance. Mexico actually offered land bonuses, tax concessions, and other inducements to immigrants to settle in Texas, well realizing that they would come mostly from the adjacent southwestern States of the United States. While fearing such colonization, the Mexican Government really did invite it, cautiously reserving to itself the right later to take such precautionary measures as it might deem expedient for the security of the Mexican Confederation in respect to the foreigners settling within it. Of this policy, so strange and suicidal, the United States Government remained a passive spectator. It did nothing to check emigration in that direction. A nation of immigrant origin, it has been a constant champion of the right of expatriation.

The immigrants from the United States for the most part proved to be only nominal expatriates, inscribed as naturalized Mexican citizens and Catholics. As ranchers and farmers they scattered over the prairies of Texas. They retained their frontier habits, their American customs, their English language, their Protestant religion, their state-making proclivities. Some of them brought their slaves and were vexed by Mexican attempts to abolish slavery. All the elements of friction<sup>5</sup> were present and none of effective control. Too late the Mexican Government realized its folly and began to restrict the privileges of the obnoxious immigrants. This only caused more trouble and in 1835 the sudden abolition by the dictator Santa Anna of the Federal Constitution of 1824, thus doing away with their constitutional state rights, gave to the eager Texans abundant justification for secession and a war for independence. Such an act would have caused secession and revolution even had the Texans lived in Ohio instead of the Mexican state of Coahuila y Texas. At the battle of San Jacinto, April 21, 1836, the Texans under General Sam Houston routed an army under General Santa Anna, and captured the dictator-President himself. Mexico was not able to exercise sovereignty in Texas after that date.

President Jackson has been loosely accused of plotting with his turb-



ulent intimate and fellow-Tennessean, Sam Houston, who returned to Texas in 1833 promising revolution and annexation, but there is no convincing proof of this.<sup>6</sup> We may doubt the actual existence of unproven complicity if only because there was no need to conspire if the President wanted a revolution. One was obviously in the making by spontaneous combustion. More serious are the charges that the United States violated the canons of neutrality in favor of the Texans during their war against Mexico.

No one can deny the good-will of the Government, and of the people particularly, for the embattled Texans. It reminds one of the partiality manifested toward the earlier patriots of Spanish America, notably of Mexico, in their struggle against Spain, although the aid to Texas was to closer kin and on a larger scale. But Jackson coldly refused the pleas of the Texans for armed help. He even refrained from a proclamation of neutrality, which would have given moral encouragement to the cause of Texan independence by recognizing belligerency. Thus there was no obligation on the United States as a neutral according to the requirements of international law. Nevertheless the President instructed the appropriate officials to enforce the neutrality laws, which have never prohibited citizens of the United States from expatriating themselves, or from enlisting in the service of a foreign state, prince, or people, once they find themselves outside the United States, or from exporting contraband of war.

We recall all the activity of this kind, doubtless so pleasing to the sensibilities of the reader, that went on during the Spanish American revolution two decades earlier. What the United States neutrality laws did prohibit was the fitting out within the United States of expeditions to go to fight in Texas. These the Federal Government conscientiously prosecuted when evidence was presented, but it proved impossible to get convictions from sympathetic juries in the southwestern States just as it was difficult to get jury convictions of privateers illegally fitted out within the United States by South American revolutionary governments and by Mexico during the Latin American wars for independence from Spain. But the fact that the very next year, 1837, during a rebellion in Canada, the United States revised its enforcement legislation so as to enable the seizure of *vehicles* as well as ships suspected of being used to violate the law, is sufficient testimony to irresponsibility on this score in 1836. In the case of the Texans, public opinion would not have tolerated a neutrality stricter than that previously manifested toward the original Latin American patriots, including Mexico. The

wonder is that, notwithstanding the sympathy and acts of its citizens, the Government of the United States itself furnished no aid, overt or covert, to Texas, and made not unreasonable efforts to prevent private individuals from violating the neutrality laws.<sup>7</sup>

Until Texas actually declared and made good its independence, Jackson hoped to buy the country, at least as far as the Rio Grande, from Mexico. After the Texan victory, he thought he might arrange through the exiled Santa Anna, who went from Texas to Washington, a purchase of Texas by treaty with Mexico. Also in Washington was William H. Wharton, whom the Texan government had sent to solicit recognition and annexation. A plebiscite had voted almost unanimously for union with the United States. Jackson told Wharton that in order to bring about annexation Texas should immediately claim territory through to the Pacific Coast.

"General Jackson says that Texas must claim the Californias on the Pacific in order to paralyze the opposition of the North and East to Annexation," wrote Wharton, after a strictly confidential talk with the President. "That the fishing interest of the North and East wish a harbour on the Pacific; that this claim of the Californias will give it to them and will diminish their opposition to annexation. He is very earnest and anxious on this point of claiming the Californias and says we must not consent to less."<sup>8</sup>

The Texan commissioner feared that if a treaty negotiated by Santa Anna were rejected by the United States Senate or repudiated by Mexico, it would leave Texas neither annexed nor recognized as independent. Jackson responded that he would rather perish than do anything injurious to Texas. No one could reasonably dispute the accomplished fact of Texan independence. Congress was urging recognition. Before Jackson went out of office he yielded to Texan importunities and recognized the independence of the new republic, March 1, 1837, a little less than eleven months after the battle of San Jacinto. This compares with the recognition of the independence of Mexico itself by the United States about fifteen months after the surrender of the Spanish Viceroy in 1821. Jackson heeded Wharton's protest the more readily because he feared that Great Britain might recognize independence ahead of the United States, perhaps in turn for special commercial privileges, and that Texas might get tangled up diplomatically with non-American nations in such a way as to hinder her ultimate annexation to the United States.<sup>9</sup>

Here the President's instinct served him surely. The British Minister

in Mexico had warned the Mexican Government of the danger of its colonization policy and urged it to restrict the immigrant colonists. He worked to block the efforts of the United States to buy Texas. After the revolution Great Britain sought by diplomacy to bring about the abolition of slavery in Texas, to prevent annexation, to erect a barrier against Manifest Destiny, to maintain the continent divided and balanced against the rising power of the United States, to preserve Texas as an independent low-tariff market for British manufactures, to have in the new state an alternate source of cotton supply and possible ally in case of trouble with the United States, in short, to keep Texas a client state, the Uruguay of North America.

Powerful humanitarian antislavery influences in Great Britain supported and at the same time hampered this anti-United States policy: supported it because annexation would confirm slavery in Texas, hampered it because the British Government delayed recognition of Texas hoping to secure abolition of slavery as an equivalent.

Meanwhile France recognized Texas, 1839, and in 1840 Belgium and the Netherlands did the same. In November, 1840, Great Britain followed suit and signed in London three treaties with Texas: (1) a treaty of commerce and amity; (2) a treaty for the suppression of the African slave trade with a (nominal) mutual right of visit and search<sup>10</sup> of suspected slavers; (3) "a convention containing arrangements relative to the public debt," which provided for British mediation between Mexico and Texas on the basis of independence; if this should result in a treaty of peace Great Britain would assume £1,000,000 sterling worth of the foreign debt contracted by Mexico before January 31, 1835. Texan delay in ratifying the anti-slave-trade treaty prevented the ratification of the other treaties by Great Britain. This in turn held up the formal exchange of diplomatic representatives until both parties had ratified all three treaties in 1842. Henceforth it became a major effort of British policy and a minor effort of French diplomacy to block annexation by bringing about a peace between Mexico and Texas.

Andrew Jackson left annexation to his successor and former Secretary of State, Martin Van Buren. Notwithstanding the ardent solicitations of Texas to be admitted into the Union, President Van Buren did not dare to advocate it. He feared to stir up a sectional issue that might throw his party out of power. The antislavery crusade had gathered such force as to impede the expansionist movement, particularly into territories propitious for slavery.

Competent scholars have disproved the old abolitionist charge that

the slavocracy of the southern States purposefully colonized Texas with emigrants from their section in order to bring about a revolution there and annexation to increase the number, territory and power of slave States in the United States. "The Anglo-American settlement of Texas," says Professor Barker, "began in 1821, was a phase of the westward movement which had already carried the frontier line from Atlantic tidewater across the Mississippi and was soon to carry it to the Pacific. Texas once settled, the revolution was the inevitable result of the racial inheritances of the two peoples thus brought into political union with one another." But these immigrants carried slavery into Texas, as their fathers and brothers had brought it into Mississippi and Missouri, and their revolution established its legality, embedded it in their constitution.

Annexation was sure to mean a great increase in the political power of slavery in the United States. This strengthened annexationist desires in the South, and by the same token it weakened them in the North. John Quincy Adams, who as Secretary of State had tried to get Texas from Spain in 1819, and as President had tried to buy it from Mexico, now became the most earnest opponent of annexation because it would bring in more slave States. With Adams it was a firm stand on principle; he had no further political ambitions. Henry Clay, expansionist of 1812, champion of recognition of Latin American independence, who had attacked the Transcontinental Treaty because it did not take in Texas, who as Adams's Secretary of State had charge of the proposals to purchase the territory, this same Henry Clay as Senator in 1837 temporized on the recognition of Texan independence. It was not that he was an uncompromising antislavery man. What he feared for was his political fortunes in the Whig Party. He would rather have his country lose Texas than see himself lose the presidency.

These remarkable personal transformations illustrate the profound effect of rising antislavery sentiment on the strongest national instinct of the nation's history. The antislavery leaders would deny their country's Manifest Destiny rather than see slavery seated in further acquisitions of territory. Slavery did not bring about the annexation of Texas; on the contrary, it made it more difficult; it postponed it for eight years, during which period Texas enjoyed a career as a full-fledged republic of the New World, recognized as such by the United States, Great Britain, France, Belgium and the Netherlands, and enjoying treaty relations with them all. One thing is clear to any unbiased student: neither the United States as a government nor slavocracy as a political power

was responsible for the settlement of Texas, its revolution, or its independence. If any nation was responsible it was Mexico, just as Spain was responsible for the revolution of Mexico herself and the other Latin American states.

## 3

We come now to annexation. Disappointed at being rejected by the United States, the Texans turned to the alternative career of an independent nation. The perennial political disturbances in Mexico and sporadic revolts in the northern States presented a likely field for Texan expansion by the erection of a new confederation stretching through from the Gulf of Mexico to the Pacific, another transcontinental republic,<sup>11</sup> rich in natural resources, a rival cotton-producing nation possessing the finest port on the Pacific Coast, a natural medium for the diplomacy of European powers who preferred to see North America divided into several republics like South America rather than one strong continental union. Sam Houston in his most expansive flights of fancy imagined that if Texas remained independent it might some day include even Oregon! <sup>12</sup> Discount as we may the diplomatic purpose of such dreams, the possibility of an independent Texas raised troublesome prospects for Manifest Destiny.

President John Tyler was responsible for the annexation of Texas in 1845, if it can be said to be due to any one man. After Van Buren's rejection of the Texan proposal of marriage, interest in the Lone Star State slumbered during the remainder of his Administration. The new Whig President of 1841, William Henry Harrison, and his Secretary of State, Daniel Webster, were both Northerners and antislavery men, and they were no more willing to stir up a convulsing sectional issue in their party than Van Buren had been in his.

The Whigs represented the brains of the country more than its heart. They were less interested in expansion than the Democrats, at any rate more in the acquisition of Oregon and California, which would not meet antislavery opposition, than Texas. They never were truly enough in tune with the national continental instinct to have any real hold on political power. Their first victory came only when they made no platform and appealed to the emotions of the people in the "log-cabin and hard-cider" campaign of 1840 ("Tippecanoe and Tyler too"). Then they floated into office on a tide of popular weariness with the party held responsible for panic and depression. To catch wavering votes they

had nominated for Vice President the former Democrat, John Tyler, of Virginia.

As a result of Harrison's death a few weeks after his inauguration, Tyler unexpectedly became President. The Whigs promptly read him out of their party when he vetoed their favorite measure, Senator Henry Clay's bill to reestablish a national bank. The Democrats whom he had deserted to become a Whig Vice President would not welcome Tyler back to their camp even after their opponents had made him President of the United States for them. Finding himself in this predicament of a man without a party, Tyler began to stimulate popular opinion in favor of the annexation of Texas, a measure which he believed would win him new political adherents. His Whig Secretary of State, Daniel Webster, was opposed to the annexation of Texas but eager to secure California. Tyler conceived the project of uniting the annexation of Texas with that of California and a settlement of the Oregon question in a projected tripartite agreement between the United States, Great Britain and Mexico: Britain would be conceded the Oregon country as far south as the Columbia River, except for the Olympic Peninsula; the United States would buy California from Mexico; and Mexico would set aside the purchase money to satisfy claims of both British subjects and American citizens.

Webster liked the California-Oregon part of this plan. He sounded Lord Ashburton informally on the idea and got a favorable response. Webster desired to go to London to put through such a deal, thus gracefully relieving himself of the office of Secretary of State, but he could not persuade his friend, Edward Everett, to be shifted from the London legation to China. So Webster fulfilled his party obligations by resigning anyway, now that his negotiations with Lord Ashburton over the northeastern boundary and other issues were successfully completed. Whether Webster in this proposed tripartite coup would have worked for Texas too, is a question.

Tyler now turned to Texas without California. He was certain that it would be popular with both parties in the South, and he expected that it would have so strong a national appeal that Clay and Northerners like Van Buren and Webster would not dare to oppose it. Further, it might rally the patriotic against a meddling England. Tyler feared the efforts of British diplomacy to abolish slavery in Texas by mediating between the new republic and Mexico on the basis of a recognition of independence by the parent state. Abolition in Texas would rob the South of political advantage from the absorption of that State,



MAP 5. THE MANIFEST DESTINY OF CONTINENTAL EXPANSION  
TERRITORIAL MAP OF NORTH AMERICA, 1836



MAP 6. THE CONTINENTAL REPUBLIC COMPLETED  
TERRITORIAL MAP OF NORTH AMERICA, 1868



and a British ascendancy in Texas might block annexation under any circumstances. Southern leaders professed to see in British policy a step toward abolition in the United States itself. In Webster's place Tyler appointed as Secretary of State a well-known annexationist, Abel P. Upshur of Virginia, close friend of John C. Calhoun, the proslavery leader and states' rights champion.

To Upshur fell the agreeable duty of negotiating a treaty of annexation. Andrew Jackson, in retirement, urged Tyler on to obtain Texas. The hero of New Orleans feared that, if that country should pass under the influence of British diplomacy, its capacious harbors and firm level plains would present an easy approach for a flank attack on the Mississippi Valley—to undo the Louisiana Purchase—just as once he feared, and with abundant reason, that Florida opened to the same danger from the other side of the river. Texas should be “re-annexed,” said Old Hickory from his Hermitage in Tennessee, peaceably if we can, forcibly if we must. He urged Sam Houston to get Texas to accept the treaty. Upshur believed that he had lined up a constitutional majority of the Senate in favor of the treaty,<sup>13</sup> when he perished suddenly in an accident before he had finished the negotiation. It was Calhoun who succeeded him and signed the treaty. Thus within a few months and without a national election did the great nullificationist follow in the office of Secretary of State the defender of national unity and international appeasement, Daniel Webster. Harrison's death had changed the whole aspect of foreign policy.

“This Texan question will ride down and ride over every other [question],” so Congressmen quoted the President as telling them.<sup>14</sup> Tyler sensed more fully than his political opponents the national significance of Texas, as the events of the year 1844 will show, but his treaty unfortunately came before the Senate, and before the people, clothed, not in the radiant raiment of Manifest Destiny as Tyler intended, but in proslavery habiliments, dressed up by Calhoun. In an exchange of diplomatic correspondence, the Secretary of State declared publicly to Great Britain that the United States had signed the annexation treaty precisely for the purpose of preventing abolition of slavery there. He did this in order to identify annexation with a defense of slavery in foreign policy as well as in domestic affairs.

Thus did Calhoun ride away on Tyler's Texan mustang. The perverse display of sectionalism killed the treaty in what had been so recently a tolerably well-disposed Senate (35 votes against, 16 for it). But it did not kill annexation. While the treaty was under debate the

Whigs nominated for the presidency Senator Henry Clay, who had led the attack on annexation, and the Democrats rejecting both Tyler and Van Buren put up James K. Polk of Tennessee, friend of Andrew Jackson, and a downright annexationist. Ardently and unequivocally he campaigned on the Democratic platform that called for the "reannexation" of Texas and the "reoccupation" of all of Oregon—"fifty-four forty or fight."

Old Andrew Jackson eagerly urged Polk on. Here was a double-barreled appeal, north and south. With weakening emphasis Henry Clay continued to oppose annexation. Too late he felt the ground-swell of the continent under him. Then his political knees buckled. He hesitated. In a conditional, equivocal way he declared at last for Texas: "without dishonor, without war, with common consent of the Union, and upon just and fair terms." He lost.

Had Clay stuck to his old popular ground as an original expansionist that first made him a rising leader of the West on the eve of the War of 1812 he might at last have become President. One cannot say, though, that the election of 1844 was a clean-cut national decision, because an independent Free-Soil candidate sprang up in New York State and split the antislavery opposition, throwing that decisive State's electoral votes to Polk. Nevertheless the country very definitely interpreted the election as the verdict for Manifest Destiny, just as many years later the people construed the curious election of 1920 as a repudiation of the League of Nations. Chastened by Polk's victory, the Senate that had so recently wrecked Tyler's treaty joined the House of Representatives to support the President's demand for annexation of Texas by act of Congress. The necessary joint resolution was carried just three days before Tyler left the White House. Texas now became an international issue between the United States and Mexico, and back of that, between the United States and Great Britain.

To block annexation, Anglo-French mediation had brought Texas to sign a protocol of preliminaries of peace by which Mexico would consent to acknowledge the independence of Texas and Texas would agree never to annex herself or be subject to any country whatever. After the passage of the resolution for annexation by the United States Congress, Mexico, by an act of her Congress, signed by her President, accepted this protocol.<sup>15</sup> Mexico had proposed that the mediating states guarantee Texan independence forever. Great Britain was willing to do this, but France refused to go that far.<sup>16</sup> The European rivalry of Great Britain and France prevented any genuine cooperation in the New World.

France served to checkmate British diplomacy in North America; England acted as a brake on French designs in South America. This is another example of America's advantage from Europe's distresses.

The Texan Congress had a choice between annexation to the United States and the Mexican treaty of independence. Unanimously both houses voted for annexation, and unanimously the Senate rejected the proposed treaty with Mexico. Thus was Texas cleared of European influence.

The Mexican Secretary of Foreign Relations had declared in 1843 that his government "would consider equivalent to a declaration of war against the Mexican Republic the passage of an act for the incorporation of Texas with the territory of the United States; the certainty of the fact being sufficient for the immediate proclamation of war."<sup>17</sup> When the joint resolution passed Congress in the face of this declaration, the Mexican Government ended diplomatic relations with the United States but did not immediately declare war. Following the Mexican warning Polk sent troops into Texas to protect the country during the legislative process of annexation, and he made appropriate dispositions of naval forces.

During this critical period President Polk also had his eyes on the Pacific Coast. Like Tyler, Webster, and Jackson, not to mention John Quincy Adams, he coveted California. He feared that Great Britain was determined to possess that remote Mexican department.\* This would block the United States off from a window on the Pacific Coast and put British pincers on Oregon north and south. He instructed Larkin, the American consul at Monterey, to use the greatest vigilance to prevent any European nation from acquiring possession and said that he "could not view with indifference the transfer of California to Great Britain or any other European Power."<sup>18</sup> This confirmed, under the mantle of the Monroe Doctrine, that interpretation which John Quincy Adams had given to the No-Transfer Policy in 1823: not only to stop

\* Historical research in British archives has shown that although British consuls in California, and the British Minister in Mexico, urged their government to acquire that Mexican province lest the United States should do so, Great Britain had no territorial designs on it. See Ephraim D. Adams, "English Interest in the Annexation of California," *Am. Hist. Rev.*, XIV (July, 1909), 744-63. Prof. Robert G. Cleland, *A History of California, the American Period*, New York, 1926, believes that the intrigues of these British representatives later gave Polk ample reason for believing that Great Britain was determined to possess California. The publication of the instructions and despatches of Thomas Murphy, Mexican Minister in London, shows Lord Aberdeen, the British Foreign Minister, working to prevent the annexation of California, as well as Texas. *Lord Aberdeen, Texas y California*, *op. cit.*

the transfer of an American colonial possession (Polk restricted the Monroe Doctrine to North America) from one European sovereign to another, but also to prevent any (North) American state from annexing itself to a non-American power. Polk was determined not to admit the European system of the balance of power to North America.<sup>19</sup> To offset this he hoped for an independence movement in California<sup>20</sup> to be followed by annexation to the United States *à la* Texas.

Notwithstanding British attempts to block the annexation of Texas and of California,\* and the Mexican posture of war, President Polk made a decent effort to come to peaceful terms with Mexico. After being informed by his diplomatic agents that the Mexican Government would receive a "commissioner" empowered to discuss outstanding disputes, he sent to Mexico City a new minister plenipotentiary, John Slidell of Louisiana, to offer terms which stopped short of insistence upon any undisputed Mexican territory. Slidell was to try to get a new transcontinental frontier between Mexico and the United States on the line of the Rio Grande to El Paso and thence due west to the Pacific; for this he could offer \$25,000,000. Indeed "money would be no object when compared with the value of the acquisition."<sup>21</sup> If he could not get that he could offer \$5,000,000 for New Mexico (that is, the watershed of the Rio Grande above El Paso). The indispensable minimum was the line of the Rio Grande which Texas had claimed as her boundary without being able to occupy it successfully; for Mexico's acceptance of this, Polk's minister could agree that the United States would release Mexico from completing payment of about \$2,000,000 of adjudicated claims to citizens of the United States. This minimum demand is not far from what Mexico had been willing to accept at the hands of the Anglo-French mediation earlier in the same year 1845.

Reasonable as that was, President Polk did not get a chance to put his peace offer before Mexico. The Herrera Government hesitated to receive a diplomatic agent of the United States after the annexation of Texas, for fear that such an unpopular act would precipitate a revolution. When a revolution did occur without such incitement, the succeeding Paredes Government refused to see Slidell and resorted to the tech-

\* Lord Aberdeen told Murphy, the Mexican Minister at London, that the annexation by the United States of Texas, or of California, would be contrary to British interests, but he would not go to war to prevent either. He urged Mexico to recognize the independence of Texas, subject to a condition of never being annexed to any other state; otherwise Texas would be driven into the arms of the United States; and he warned the Mexican envoy that a war with the United States would mean the loss of California as well as Texas. *Lord Aberdeen, Texas y California, op. cit.*

nical objection that he was a minister plenipotentiary and not a "commissioner" *ad hoc* such as the previous Mexican Government had agreed to receive.<sup>22</sup> To have accepted Slidell as minister plenipotentiary would have seemed to tolerate the annexation of Texas, and this Mexico would not do, although she had been willing in the Anglo-French mediation to recognize Texan independence providing the new republic should never be annexed to any other power. The question was clear: was it to be the United States or Europe that was to decide the continental future of the United States?

Mexico had given formal notice that she would regard the annexation of Texas as equivalent to a declaration of war. Instead of taking this challenge at its face value, Polk had gone out of his way to procure a peaceful settlement. Only by refusing to acknowledge the undeniable fact of Texan independence and the consequent sovereign right of self-determination can one justify Mexico's quibble over a technicality, her reckless refusal to treat and her persistence in a posture of war. Below the Rio Grande many people believed that the numerically larger army of Mexico, particularly the reputed prowess of its cavalry, would be at least a match for such troops as the United States would be able to put in the field. They even hoped that Great Britain, then at odds with the United States over the Oregon question, would come to Mexico's aid.<sup>23</sup> Was it not British policy to divide continents into as many nations as possible and keep these smaller units balanced against each other, as in South America?

It is true that it was British policy to lock the westward rolling wheels of American continental expansion: the diplomatic history of Texas shows that sufficiently; but Great Britain did not really want to fight to prevent the United States from acquiring Oregon or Texas or California. She was heavily involved in a joint intervention with France in Uruguay and the Plata River,<sup>24</sup> and in Europe the two powers were at odds over Mediterranean questions. The British Empire was already in a state of wearied satiation. The Little Englanders were sounding the counsel of retreat. By 1845 London had decided to yield Oregon to the United States up to 49° North Latitude.<sup>25</sup> President Polk's unflinching nerve had won the day for Manifest Destiny, his country's greatest urge.

Only when Polk heard that Mexico had refused to receive his emissary of peace did he fall back to the use of force. He sent troops under General Taylor from Texas proper well into the disputed area between the Nueces and the Rio Grande, with orders to repel force by force if

Mexican troops should move north of the latter river. On April 23, 1846, President Paredes of Mexico declared war, and on April 25 some Mexican cavalry met Taylor's forces on the Texan side of the river. Today it seems fantastic that Mexico should have made Texan annexation a cause of war, after that republic had been so long independent and so widely recognized, and should have actually attacked United States troops on the disputed side of the Rio Grande. By doing so the Mexican Government played into Polk's hands, who, after failing to make peace, preferred to make a war—just as Napoleon III served Bismarck's purposes in 1870.

In the ensuing war United States troops quickly and easily occupied California and New Mexico, meeting only a modicum of resistance. General Taylor's army penetrated northern Mexico, and General Scott's troops fought their way from Vera Cruz to the gates of Mexico City. The *de facto* government of Mexico had to make the best terms possible. That peace, imposed by a conquering army, corresponded to no more than the maximum terms which Polk had tried so patiently to offer through Slidell in 1845: the line of the Rio Grande to El Paso, and thence west to the Pacific, not as conquered soil but as a purchase. For this territory—the last real popular goal of Manifest Destiny, following the Oregon treaty of 1846—the United States, which had just defeated Mexico, actually paid \$18,325,000.<sup>26</sup> The war itself cost the United States \$100,000,000 more, and a still greater loss: several thousand lives. Another article of the Treaty of Peace of Guadalupe Hidalgo of 1848 illustrated the continental purpose of Polk's policy. It provided for a future agreement for the construction and use of a road, canal, or railway via the Gila River valley.<sup>27</sup> After surveys had established the desirability of this, Mexico sold the strip to the United States in 1853: the Gadsden Purchase, for \$10,000,000 more.<sup>28</sup>

The peace treaty contained an unique article, for those times, calculated to prevent any future wars between the two countries. Perhaps not because of the letter of this article, but because of the spirit that grew into it, it has been successful. Article XXI provided that in the case of a future dispute between the two parties, they would endeavor to settle it by peaceful process: "And if, by these means, they should not be enabled to come to an agreement, a resort shall not, on this account, be had to reprisals, aggression or hostility of any kind, by the one Republic against the other, until the Government of that which deems itself aggrieved, shall have maturely considered, in the spirit of peace and *good neighbourship*, whether it would not be better that such

difference should be settled by the arbitration of Commissioners appointed on each side, or by that of a friendly nation. And should such course be proposed by either party, it shall be acceded to by the other, unless deemed by it altogether incompatible with the nature of the difference, or the circumstances of the case.”<sup>29</sup>

Sober reflections on the Texas question and the War with Mexico suggest that political anarchy and folly on the part of Mexico was as responsible for the conflict as much as was the urge of expansion in the United States; that the peace was not lacking in forbearance; and that James K. Polk correctly interpreted and achieved the Manifest Destiny of his country. The war between the United States and Mexico was only one of numerous wars fought in the New World as well as the Old World during the nineteenth century. It was by no means as disturbing to the nations of Central and South America as the contemporary British interventions in the Isthmus and the British and French interventions in the Plata River countries. Certain it is that no countryman of President Polk today would desire to undo either the annexation of Texas or the Mexican purchases of 1848 and 1853. They stand with the Louisiana Purchase and the Transcontinental Treaty as the most enduring expressions of American nationality. When in 1917 the German Government invited Mexico, in case of a war between Germany and the United States then impending, to make an alliance with Japan and to fall upon the “lost provinces” and recover them, it met no response either in Mexico or in Japan, and it threw the people of the United States into a paroxysm of uncompromising patriotism. So would any such suggestion result again.

## 4

The Gadsden Treaty marks the completion of continental expansion by the United States, if we except the Alaska Purchase which belongs to another chapter of American history. It was the only achievement of the Neo-Democrats, who came into power in 1853 following the passive Whig Administrations of Taylor and Fillmore (1849-1853). It had been the tremendous task of the Whigs to reconcile the cession of 1848 from Mexico to the exigencies of domestic politics, to the sectional division over the question of slavery in the new territories. By the Compromise of 1850 they barely succeeded in preventing a secession of the slaveholding States from the Union, and postponed civil war for another decade, fortunately for the fate of the Union.

The Compromise of 1850 proved to be a sham. The slavery problem came back to be an irrepressible conflict. From 1853 to 1861 the Democratic Party was nominally headed by northern Presidents who won their office by conceding real leadership to the southern slavocracy. At home they were led on by the defenders of slavery to accept the fateful Kansas-Nebraska Act of 1854 that opened the road to civil war. In foreign policy they sought to rally the national spirit of Manifest Destiny, expressed in the "Young America" movement, for an expansionist program overseas: the Hawaiian Islands in the Pacific, even a naval base in the distant Loochoo Islands on the fringe of eastern Asia; and in the Caribbean the islands of Cuba and Santo Domingo. They wanted more of Mexico,<sup>30</sup> and were not unsympathetic to the filibuster William Walker, who set himself up briefly as President of Nicaragua and re-established slavery there. It was soon obvious that the slavery expansionists had taken over foreign policy, too; they were more interested in the acquisition of more slave territory and possible slave States than in the very real strategical requirements of continental security. If these designs had been successful they would have constituted an ineffaceably dark chapter of American history, but the stirring tide of antislavery opposition blocked them at every turn until the Civil War wiped out the slavocracy and emancipated their slaves in the United States and ended forever their black foreign policy. One of the reasons why Lincoln, *at the cost of civil war*, rejected the Crittenden Compromise in early 1861 (which would have left the Union half slave and half free along a dividing line of 36° 30' west of Missouri) was his fear that this would only turn the slave power—symbolized by such provocative organizations as the Knights of the Golden Circle—to fresh efforts for the annexation of neighboring southern countries and the introduction of slavery there, in a continual struggle politically to out-balance the forces of freedom in the Government at Washington.<sup>31</sup>

The establishment of a Continental Republic was indeed the Manifest Destiny of the United States, the groundwork of its full nationhood and power in the world, and we shall see that control of the Isthmian communication between the two seacoasts became a fundamental complement of Manifest Destiny, but slavery expansion, whether at home or abroad, could mean only the manifest disunion of the Continental Republic so recently achieved. Fortunately the antislavery opposition saved the Latin American policy of the United States from this shameful involvement. Those historians who have denounced the disgraceful diplomacy of the slavocracy when in power at Washington and have



falsely identified it with the United States itself, have never paid sufficient tribute to the forces of freedom that frustrated the sinister program. This requires us to say a word about Cuba before closing this chapter.

The aura of Manifest Destiny was forever drifting over the island of Cuba. We recall that Jefferson's original Latin American policy was limited to the Spanish borderlands and Cuba which he considered destined inevitably to inclusion within the American Union. "If you remain under the dominion of the kingdom and family of Spain, we are contented; but we should be extremely unwilling to see you pass under the dominion or ascendancy of France or of England. In the latter cases should you choose to declare independence, we cannot now commit ourselves by saying we would make common cause with you. . . ." In contrast to the attitude toward the new states of continental Latin America, the United States never manifested any particular eagerness for Cuban independence, because the people of the island might remain content with that, whereas if they stayed under the misgovernment of Spain they might someday prefer annexation. Meanwhile economic and cultural ties and the attraction of the republican example were working to bind Cuba more closely to the neighboring continent of North America than to the distant Spanish monarchy. An eminent Cuban historian in a confessedly polemical history of Cuba in her relations with the United States and with Spain, has listed as a secret or avowed annexationist every President of the United States from Jefferson to Theodore Roosevelt, with the exception of Lincoln, the Emancipator, whom the oppressed Cuban people regarded as the hope of their soul. A bit of Cuban folklore among the oppressed colored population ran as follows:

" . . . *Avanza, Lincoln, avanza,  
Que tú eres nuestra esperanza. . . .*"

"Onward, O Lincoln,  
The hope of our soul." <sup>32</sup>

Certain it was—just as certain as it is that Cuba has never been annexed—that the United States expected one day to have Cuba if only by the operation of what John Quincy Adams called the "law of political gravitation," but there was little real urgency about it before the advent to power of the slavocracy. The principal concern was lest the island pass suddenly into the possession of Great Britain, thus threatening the security of Florida and the Mississippi Valley, to say the least.

At the same time the United States refused to bind itself against ever acquiring Cuba. Adams, we remember, had suspected that Canning's purpose in proposing a joint Anglo-American pronouncement on the Spanish colonies in 1823 had been just that; <sup>33</sup> this was one of the reasons that led to the independent declaration of the Monroe Doctrine. President Polk feared that Great Britain or France might seize Cuba as security for heavy Spanish debts held by their subjects. He offered Spain \$100,000,000 for the island in 1848 at the close of the Mexican War only to meet the response that the Spanish people would rather see it sunk in the ocean than have it transferred to any other power. This was doubtless true!

The milder Whig diplomatists who succeeded Polk reverted to the traditional policy of contentment with Spanish sovereignty, continued opposition to the transfer of Cuba from debilitated Spain to any other European power, and persistent refusal of any self-denial on the part of the United States. At that time the Cuban planters feared an independence movement in the island that might abolish slavery and perhaps bring on the horrors of the well-remembered slave rebellion of a half-century earlier in the neighboring island of Santo Domingo. Rather than independence under such conditions they preferred annexation to the great slaveholding Republic of the North.

Working in this atmosphere the Cuban leader Narciso López recruited filibustering expeditions in the United States with the aid of proslavery leaders in the southern States and in defiance of Federal authorities, only to meet extinction at the hands of Spanish troops in the island. The administrations of Taylor and Fillmore seem to have done their best to prevent these enterprises and to prosecute violators of the law against the fitting out of expeditions against a friendly power, but sympathetic juries in the South acquitted all the accused. Alarmed by the filibusters and impressed by the good faith of the Whig Government in Washington, Great Britain and France, acting as they said upon the "anxious desire" of Spain, proposed to the United States in 1852 a tripartite agreement that the three powers "severally and collectively disclaim, now and for hereafter, all intention to obtain possession of the Island of Cuba, and they respectively bind themselves to discountenance all attempt to that effect on the part of any power or individuals whatever," or to "obtain or maintain, for themselves, or for any one of themselves, any exclusive control over the said island, [or] assume [or] exercise any dominion over the same." This was the language of the Clayton-Bulwer Treaty, to be applied to Cuba, an island even more

intimately related than the Isthmus to the strategical defense of the United States. This time no grave domestic danger, like the sectional crisis of 1850, compelled the Whigs to accept another such estoppel.

It is true that the famous reply of Secretary of State Edward Everett to this European proposal was delivered after the Democrats, with their strong "Young America" expansionist sentiment, had triumphed in the election of 1852, but the Whig answer is none the less expressive of the traditional Latin American policy of the United States, now focused again on the island of Cuba, as a result of the victories of continental expansion. Everett disclaimed for his Government any coveting of Cuba, but refused to bind his country against ever acquiring the Pearl of the Antilles:

"The United States . . . would . . . disable themselves from making an acquisition which might take place without any disturbance of existing foreign relations, and in the natural order of things. The island of Cuba lies at our doors. It commands the approach to the Gulf of Mexico, which washes the shores of five of our States. It bars the entrance of that great river which drains half the North American continent, and with its tributaries forms the largest system of internal water communication in the world. It keeps watch at the door-way of our intercourse with California by the Isthmus route. If an island like Cuba, belonging to the Spanish Crown, guarded the entrance of the Thames and the Seine, and the United States should propose a convention like this to France and England, those powers would assuredly feel that the disability assumed by ourselves was far less serious than that which we asked them to assume. . . . The history of the past—of the recent past—affords no assurance that twenty years hence France or England will even wish that Spain should retain Cuba. . . . Even now the President cannot doubt that both France and England would prefer any change in the condition of Cuba to that which is most to be apprehended, viz: An internal convulsion which should renew the horrors and the fate of San Domingo." <sup>34</sup>

The Secretary of State from New England was conscious of the popularity of expansionist feeling, and he played up to this sentiment. His note is another landmark in the Latin American policy of the United States. It represented that policy more truly than did the designs of the Neo-Democrats that burst out to a pained public in the notorious "Ostend Manifesto" of 1854,<sup>35</sup> and their persistent efforts, until 1861, to get Cuba by hook or by crook.

Following the Civil War, the expansive force of Manifest Destiny sublimated itself for a generation in the nervous national energy of exploiting the newly won western territories and in the industrial revolution of those years. Not until the turn of the century was there an-

other invocation of the spirit of Manifest Destiny, this time in the shape of a dominion over alien peoples. The Manifest Destiny of imperialism, as we shall see presently in this volume, was not the true spirit of American nationality, nor altogether a permanent feature in the history of the Republic.

The reader, I think, so far must be convinced that American foreign policy was based on the requirements of national security and continental expansion. After 1848 this came to mean continental security, which in turn meant a conflict with British diplomacy in the Caribbean Sea and the Isthmus of Central America, a conflict which was not fully resolved until 1902. The paramount place of North American territorial questions and the Isthmian question—that is to say, of security for the Continental Republic—in the Latin American policy of the United States will appear constantly as we follow the evolution of the Monroe Doctrine during the nineteenth century.

## CHAPTER VII

### *Development of the Monroe Doctrine* (1826-1895)

#### I

THE primary concern of the United States with the territorial problems of North America and the ocean waterways of the continent, as its Latin American policy took shape, becomes all the more apparent when we review the development of the Monroe Doctrine during the nineteenth century. So completely did the focus of policy and public attention shift from South America to North America after the fiasco of the Congress of Panama in 1826 that very little was heard of the Doctrine either in the United States or elsewhere for the next fifteen years. During this period of quiescence the European powers paid absolutely no attention to it. They flouted it not only in South America but also nearer to the United States itself, in Central America and Mexico, in a way which would seem greatly scandalous to a more indoctrinated public opinion of a later age; but these early challenges provoked no protest from Washington. Rather it was Great Britain, when she herself was not intervening in the affairs of the New World, that manifested the most concern about European intervention in this early period. To-day we cannot seek as pious children to post-baptize the pronouncement of President Monroe with strength and virtues acquired in later times. Until 1842 the country almost completely forgot about the Doctrine, attached little more significance to it than to many another ephemeral presidential pronouncement. The phrase itself, Monroe Doctrine, did not come into usage until 1830.<sup>1</sup>

The history of the Monroe Doctrine shows plainly enough that its authority depends upon what force the United States can use to back it up. For a long time after 1823 the Republic of the North had no power to spare beyond its own territorial claims and the waters

near by. The position of British North America as a hostage enabled the United States, *as long as it enjoyed health in union at home*, to protect its continental homeland against dominant British sea power. The only other countries that could possibly challenge the Doctrine before the end of the nineteenth century were France and Spain, and neither of them could single-handedly oppose the United States in North America unless the latter's hands were tied by war with another power or by domestic strife.

To secure observance of the Monroe Doctrine in North America, including the Isthmus and the islands of its strategic area, was one thing; to defend the whole of South America against any European intervention was altogether another problem, and still is. As a matter of fact, there was never any serious thought of actually enforcing the Monroe Doctrine anywhere until President Tyler resurrected it to apply to the Texas question. "Carefully abstaining from all interference in questions exclusively referring themselves to the political interests of Europe," he told Congress in his annual message of 1842, "we may be permitted to hope an equal exemption from the interference of European Governments in what relates to the States of the American continent." Even then the United States was more jealous of the independence of the Hawaiian Islands than of that of any South American republic, as indicated a few days later (December 30, 1842) in a special message from the President declaring that the United States, while having no designs of its own on those islands, would be "dissatisfied" at a threat by any other power to take possession of them, colonize them, or overthrow the native government there. There was no application of the principles of President Monroe to the states of Central America until the new territorial titles on the Pacific Coast made so imperative the strategical significance of the Isthmus.

## 2

To review the early floutings of the Monroe Doctrine is to emphasize the comparative indifference of the United States of those days to the inviolability of the republics of South America and even of Central America.

We have noted that the Doctrine was a unilateral statement of policy that bound the United States to no nation. The discussions in President Monroe's Cabinet in 1823 and the exchanges with Latin American governments from 1823-1826 have shown us that no American statesman of that time was prepared to go to war to defend a Latin American

nation against European intervention, unless possibly in alliance with Great Britain, and there was no agreement as to the advisability of joint Anglo-American action even in such a contingency, hence the independent utterance of this preachment of policy. If the United States was not ready to go to war, even with Great Britain as an ally, for the defense of the new states, it was all the more inconceivable that alone it would fight Great Britain to prevent any extension of British sovereignty anywhere in the New World. If any North American statesman could have been so foolish as to think of making war on Great Britain at a time when that power was at peace in Europe, the last place in the Western Hemisphere which he would have picked to fight for was the distant Falkland Islands, lying some two hundred fifty miles east of the Straits of Magellan in the South Atlantic Ocean.

When Great Britain took over that bleak archipelago in 1833, despite the protests of the United Provinces of the Plata, it was with the complete acquiescence of the United States. Many years later, in 1886, when the nation had become more Monroeified, a Secretary of State, Thomas F. Bayard, resorted to a legal sophistry to explain away that British occupation of 1833: it was only a "reoccupation" of islands that once had been occupied before 1823; thus it really had not been a violation of the Doctrine. This attempt to comfort a later age does not satisfy the historian of consistency.<sup>2</sup>

Similarly the United States overlooked distinct challenges to the Monroe Doctrine in the interventions in the Plata River region, by France in 1838-1840, and by Great Britain and France jointly in 1845-1849, and a temporary French occupation of Vera Cruz in 1838 to enforce the collection of claims against Mexico. In the case of the French actions in the Plata River and in Vera Cruz in 1838 it was British diplomacy—suspicious of the French program—that successfully mediated between France and the invaded American republics on both continents.<sup>3</sup> In the case of the much more serious Anglo-French invasion of the Plata River countries in 1845-1849, it was not the Monroe Doctrine but the rough resistance of the dictator of the pampas, General Rosas, and the dissension between the intervening allies that defeated that aggression. The United States had to stand aside. It was too much occupied with the great territorial problems of continental expansion in North America: Texas, Oregon, California, and finally the Mexican War and the Isthmian question.

Southern South America was still too far away to be of vital interest. When the British Minister at Washington complained of the newspa-

pers in condemning the Anglo-French intervention in the Plata country—a press campaign which was stirred up by the modest subsidies of the Argentine Minister, General Alvear<sup>4</sup>—President Polk's Secretary of State assured him that the Government of the United States had no intention of interfering with or opposing in any way the efforts of Her Majesty's Government and the Government of France for the pacification of the two South American republics.<sup>5</sup> He even recalled the United States *chargé d'affaires* from Buenos Aires for having presumed without instructions to offer to mediate between the Argentine dictator and the intervening powers. In the opinion of the foremost authority on this episode, Polk's Government deliberately connived at this violation of the Monroe Doctrine in South America in order the better to protect its continental position in North America.<sup>6</sup>

The facts are that Polk would not and simply could not defy Anglo-French intervention in the Plata River when he had such vital territorial problems to face in North America. This is apparent in his invocation of the Monroe Doctrine, in his annual message of December, 1845, in such studied language as to invoke its principles in the northern rather than in the southern continent. This anxious pronouncement he delivered only a few months after the failure of Anglo-French efforts to block the annexation of Texas and keep it a North American Uruguay. This was when the President feared the possible intervention of those powers in California and their desires to balance North America, like South America, into as many independent republics as possible, thus Europeanizing it diplomatically and preventing the United States from establishing a Continental Republic. "What is the interest of France?" the French Premier, Guizot, had just asked the Chamber, referring to the Texas question. "It is that the independent states remain independent, that the balance of forces between the great masses which divide America continue, that no one of them become exclusively preponderant. In America, as in Europe, by the very fact that we have political and commercial interests, we need independent states, a balance of power."<sup>7</sup> The reader recalls that British diplomacy rested on the same concept. Polk's continental policy defeated this ominous menace to the Manifest Destiny of the United States, but in formulating it he had to desert the Monroe Doctrine in South America in order to defend it in North America.

Students of the text of the message to Congress of December 2, 1845, may see reflected the disapproval of the United States toward the intervention in the Plata River, particularly in the affirmation: "The



people of the United States cannot, therefore, view with indifference attempts of European powers to interfere with the independent action of the nations *on this continent*." That might have been a statement cast in a sort of hemispheric caveat to come back to some time in the future,\* but in reasserting the Doctrine, notably the non-colonization principle, the President again and again in this message applied it to "*North America*," for example: "No future European colony or dominion shall with our consent be planted or established *on any part of the North American continent*." † He thus made perfectly plain to the world what he had already conveyed to the European powers through the channels of diplomacy, that while the United States might disapprove of interventions in South America the only place where it would try to stop them, indeed where there was any chance of stopping them, was in North America. In his subsequent message on the Monroe Doctrine in 1847 (anent California) affirming that it must be maintained on the North American continent, and in 1848 (relating to Yucatan, where abortive secessionists, rebuffed by the United States, talked of asking Spain or Great Britain for protection) President Polk made no reference to the Anglo-French intervention in the distant Plata River. The Mexican War occupied the United States completely, and while the Republic of the North was thus so fully busy near at home the Monroe Doctrine met another challenge, this time on the Isthmus.

Did Polk include Central America and the Isthmus of Panama when he restricted the enforcement of the Monroe Doctrine to the continent of North America? Before Polk's Presidency the United States Government had paid no attention to the gradual encroachments of Great Britain on the independence of the Central American states. Any of these trespasses would have been considered a violation of the Monroe Doctrine fifty years later. The first was in Belize, along the southernmost eastern shore of the Yucatan peninsula where, under the Spanish regime, treaties of 1783, 1786 and 1814 had confirmed a right of British subjects to reside between the Sibún and Hondo Rivers, and nowhere else, for the purpose of getting out logwood, the sovereignty being reserved to Spain. After the fall of the Spanish Empire these

\* Secretary of State Buchanan's diplomatic correspondence clings to the hemispheric coverage of the word "continent" (Perkins, *op. cit.*, Ch. III, notably pp. 152-53, 168, and J. B. Moore, *Digest of International Law*, VI, 436, 473), but the restriction to North America in the solemn public messages to Congress on the state of the Union overrode in the weight of official exegesis the phraseology of the unpublished diplomatic correspondence, certainly during Polk's Administration.

† Italics inserted.

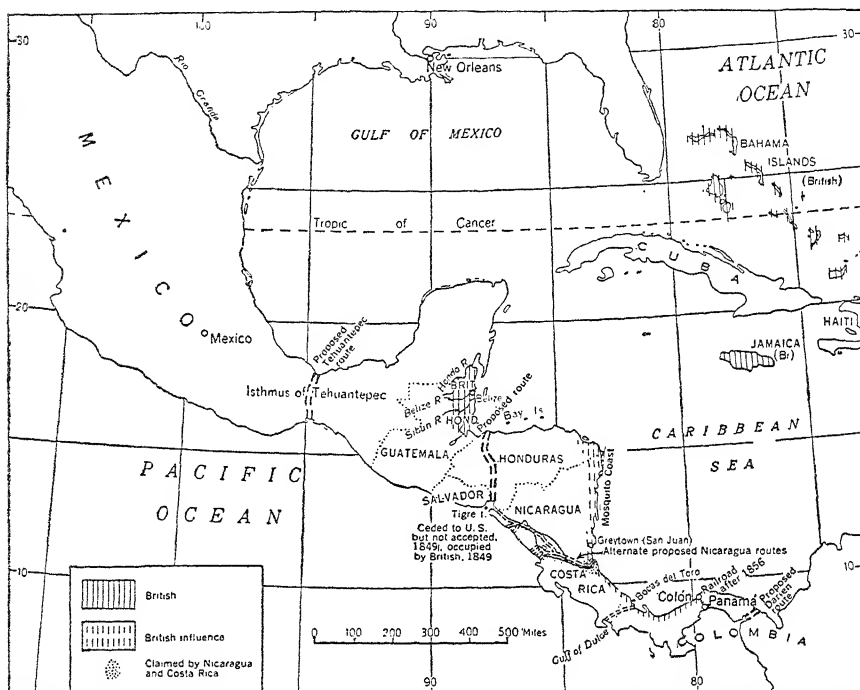
settlers overstepped their old Spanish treaty boundaries. Great Britain ignored the protests of the Central American Confederation and by 1836 was claiming the Sarstoon River instead of the Sibún to be the southern boundary of the settlement, thus doubling its area. A self-governing British community began to take shape, under a British "superintendent," who in 1840 declared the law of England to reign in the "settlement or colony of British Honduras." The Monroe Doctrine had declared in 1823 against any future European colonization. Here was certainly a large measure of new European colonization and that since 1823.<sup>8</sup> The United States never did anything about it, even when the new republic of Guatemala appealed for aid in 1835. It acted, as did Great Britain, precisely as if the Monroe Doctrine had never existed.<sup>9</sup> In 1838 the British Government took over control of the Honduran island of Ruatan in the Bay group without a murmur from anybody.

Nor did the United States before the war with Mexico take any notice of the new protectorate and *de facto* colony which Great Britain established at the expense of Central American sovereignty over the Mosquito Indians, who inhabited the eastern shore of the republics of Honduras, Nicaragua, Costa Rica, and New Granada, from Cape Gracias a Diós southward to Boca del Toro. If Great Britain could make good her political control over this shore, and also secure mastery of the Pacific termini of practical canal routes, she would still have a check on the continental position of the United States in North America, from which she had retreated before President Polk's steady eye.

The expanding British protectorate over the miserable Mosquito Indians alarmed the Republic of New Granada, particularly when Great Britain, as well as France, refused a Colombian proposal for an international treaty for the neutralization of the Isthmus. In 1846 General Flores, an exiled Ecuadorean leader and ex-president, who had been engaged in monarchist plots in Spain and France, was in London openly preparing a filibustering expedition which had threats for the integrity of the Republic of New Granada.<sup>10</sup> Despite earlier British affinities that dated back to Bolívar's days, the Government of New Granada now grew frightened at the aspect of British policy, far more concerned at that than at any implications of the war that had broken out between the United States and Mexico. It appealed to the Republic of the North.

The Colombian Minister at Washington reminded Polk's Secretary

of State of the solemn protests his nation had made "at all times, and particularly at the present" (i.e., Polk's message of 1845), against all European intervention in the political affairs of America, and expressed the hope of effective cooperation and aid. At Bogotá President Mosquera took time by the forelock. Certain minor negotiations were then



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MAP 7. THE ISTHMIAN QUESTION

under way for the removal of duties discriminatory against American commerce. The New Granadan President offered to make a satisfactory treaty of commerce and navigation providing the United States would guarantee the sovereignty of New Granada over the Isthmus of Panama.<sup>11</sup> Without instructions on that point, the United States Minister seized the "golden moment"<sup>12</sup> and signed a treaty (the Bidlack Treaty of 1846) *sub spe rati*. It guaranteed to the United States and its citizens the right of way or transit across the Isthmus of Panama upon any modes of communication that then existed, or that might thereafter be constructed, for lawful commerce, with tolls no higher than charged to the citizens of New Granada. Article XXXV contained

the words so momentous for the later Latin American diplomacy of the United States:

"And, in order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages, and for the favours they have acquired by the 4th, 5th, and 6th articles [regulating tariff duties] of this Treaty, *the United States guarantee positively and efficaciously to New Granada, by the present stipulation, the perfect neutrality of the before mentioned Isthmus*, with the view that the free transit from the one to the other sea, may not be interrupted or embarrassed in any future time while this Treaty exists; and in consequence, *the United States also guarantee, in the same manner, the rights of sovereignty and of property which New Granada has and possesses over the said territory.*"<sup>13</sup>

This is the only occasion in the nineteenth century on which the United States accepted the overture of a Latin American state to defend its sovereignty.

This treaty arrived in Washington during the first year of the Mexican War. It fortified tremendously the position of the United States on that very Isthmus which the results of the war were making so vitally interesting to the future defense of the new continental position. So strong, however, had become the traditions of American diplomacy against an alliance with any nation, even on this side of the Atlantic, that even Polk, the expansionist President, had to overcome inveterate hesitations in order to commit his country to such a guaranty. But he perceived its relation to the contemporary territorial acquisitions on the Pacific Coast and urged the Senate to ratify it.<sup>14</sup> The Senate so delayed action that the Colombian Government sent a special mission to Washington to urge ratification. The Mexican territorial cession of 1848, including California, to the United States clinched the argument for accepting the pact. On June 8, 1848, the Senate advised and consented to the Bidlack Treaty, by a vote of 29 to 7. At that time both New Granada and the United States were ready to admit European states to this guaranty, but none came in.

### 3

Signature of the treaty with New Granada and the results of war with Mexico stimulated British agents to greater activity to secure control of the Nicaraguan canal route in order to checkmate the position of the United States at Panama. This in turn provoked Polk to block

British diplomacy on the Isthmus. Acute rivalry came to an ugly head under Polk's Whig successor, General Taylor, in the midst of the bitter sectional controversy over the status of slavery in the new territories acquired from Mexico.

Both Governments found it desirable to compromise, the United States because it faced the danger of civil war at home, Great Britain if only because undefended Canada was a hostage for the beneficent conduct of the British navy toward the United States. Under these conditions it was the United States that made the larger concession—for the control of the Isthmus was more vital to the Republic than it was to Great Britain. The result of this appeasement was that ambiguous arrangement, the Clayton-Bulwer Treaty, perhaps the most unpopular treaty in the history of the United States, a big trouble-maker in subsequent Anglo-American affairs. Considering the danger of civil war in 1850, when that treaty was ratified (during the debates on the Compromise of 1850), and the actual fact of civil war from 1861 to 1865, it was fortunate for the United States that the treaty kept Great Britain from a complete domination of the Isthmus. For the student of the Latin American policy of the United States it has an impressive lesson: when the nation's life was threatened at home it had to tolerate a violation of the Monroe Doctrine not in the remote Falkland Islands off the Straits of Magellan, nor in the distant estuary of the River Plata, but right in a region where its vital interests were most concerned.

The Clayton-Bulwer Treaty placed any Isthmian railway or canal of the future under the joint control of the United States and Great Britain, guaranteed its neutrality, and provided that transit tolls or charges should be equal for citizens or subjects of both parties. Each power agreed not to fortify the canal or its vicinity, nor to colonize nor assume any dominion over Central America. Ingeniously ambiguous wording also declared:

"Nor will either make use of any protection which either affords or may afford, or any alliance which either has or may have, to or with any State or People for the purpose of erecting or maintaining any such fortifications, or of occupying, fortifying, or colonizing Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America, or of assuming or exercising dominion over the same; nor will the United States or Great Britain take advantage of any intimacy, or use any alliance, connection, or influence that either may possess, with any State or Government through whose territory the said Canal may pass, for the purpose of acquiring or holding, directly or indirectly, for the citizens or subjects of the one, any rights or advantages in regard to com-

merce or navigation through the said Canal, which shall not be offered on the same terms to the citizens or subjects of the other."

Under cover of this language Great Britain refused to abandon her protectorate over the Mosquito Indians, arguing that the treaty was prospective, not retrospective, in its obligations, and had not abolished *existing* relationships on the Isthmus. She further declared the Bay Islands to be a British Colony (1852), taking advantage of an equivocal exchange of notes<sup>15</sup> that had accompanied ratification of the ambiguous treaty.

Freed, so it seemed, from the danger of civil war, the next Democratic Administration in 1853 protested the new British colony as a violation of the Monroe Doctrine. President Pierce declared in his inaugural address, without distinguishing between North and South America: "The rights, security, and repose of this Confederacy [*sic*] reject the idea of interference or colonization on this side of the ocean by any foreign power beyond present jurisdiction as utterly inadmissible." But again, as in 1846,<sup>16</sup> Congress refused to implement this statement by any supporting declaration of its own. During the ensuing controversy, sharpened by the aggressive proslavery Caribbean policy of the new Administration, Lord Clarendon declared to James Buchanan, now United States Minister at London, that the doctrine laid down by President Monroe in 1823, concerning future colonization on the American continent by European states, was only the "dictum of the distinguished personage who announced it, and not . . . an international axiom which ought to regulate the conduct of European states."<sup>17</sup> After six squally years of disputation with the United States, Great Britain in 1859 handed back the Bay Islands to Honduras, and the Mosquito Coast to Nicaragua, and finally abandoned all political control in Central America outside of British Honduras, fortunately before the Civil War broke out in the United States. But when that conflict was well under way Great Britain formally proclaimed Belize or British Honduras to be a crown colony.

British colonial incursions into Central America had violated the Monroe Doctrine. In a time of urgent domestic crisis the United States had found it expedient to compromise with these violations in the terms of the Clayton-Bulwer Treaty, to accept the existence of new colonial dominions in the New World; but in 1850 American public opinion did not regard an international guaranty of the projected canal as a violation of the Monroe Doctrine.<sup>18</sup> For the remainder of the century

the Clayton-Bulwer Treaty remained an estoppel to the exclusive control by the United States of any inter-oceanic transit by way of Central America.)

## 4

The Civil War of 1861-1865 presented another invitation to the naval powers of Europe who had never recognized the Monroe Doctrine and who would violate it whenever they found it expedient to do so. This time Great Britain, with her exposed and undefended flank of Canada open to overland invasion, was more cautious about joining her rival France as she had done in the less risky distant Plata River region when the United States had been involved in disputes with Mexico. It was Spain and France, in Santo Domingo and in Mexico, who were to take advantage of the new opportunity to set up European protectorates or colonies on the ruins of republican governments in the New World. They had no contiguous frontiers in North America to defend against the consequences of such an aggression.

One month after the firing on Fort Sumter Queen Isabella II proclaimed the reannexation of Santo Domingo (May 19, 1861) professedly in response to the requests of the oppressed Dominicans.<sup>19</sup> An immediate revolt of the population against the Spanish regime belied this touching deference to the principle of self-determination. Although Spain had placed 25,000 troops in the island by 1864, she could not overcome the native resistance aided as it was by the ravages of yellow fever, that loyal ally of Caribbean independence. After suffering staggering losses in life and treasure the Spanish Government was compelled to withdraw, in May, 1865, just after the surrender of General Lee at Appomattox. At first, Secretary Seward had protested vigorously against the impending intervention. "The President will be obliged," he had said on April 2, 1861, to the Spanish Minister in Washington, to regard such proceedings as manifesting an "unfriendly spirit toward the United States, and to meet the further prosecution of enterprises of that kind in respect to either the Dominican Republic, or any part of the American continent or islands with a prompt, persistent, and, if possible, effective resistance."<sup>20</sup> This was the day after Seward penned his famous "Some Thoughts for the President's Consideration" (April 1, 1861), in which he proposed a foreign war under his own full direction as a panacea to put an end to civil war in the United States. Lincoln quietly pigeonholed this amazing document of his eminent subordinate; the Civil War came on precipitately,

and Seward had to pipe down his protests against violations of the Monroe Doctrine, for nothing could have been more foolhardy, as he himself quickly came to realize, than for the United States to invite a foreign conflict while engaged at home in internecine strife. The Spanish intervention in Santo Domingo broke down from its own weight, but it seems likely that the Monroe Doctrine, too, had something to do with the decision in May, 1865, to get out.<sup>21</sup>

France's contemporary invasion of Mexico was no more flagrant a violation of the Monroe Doctrine than Spain's invasion of Santo Domingo, but it was on a larger scale and involved more inordinate projects of power. If only because of Mexico's geographical situation, contiguous to the United States and lying for thousands of miles along both ocean flanks of communication with the Isthmus, it was far more menacing. It was the most spectacular and dangerous outright challenge which the Monroe Doctrine had yet encountered. It typified the clash of European and American systems as nothing had done since the days of the Holy Alliance. It was a move to check the United States and the whole republican movement in the New World. This time Great Britain did not oppose intervention. She controlled the seas, as in 1823, but she took no step to stop Napoleon III in Mexico or Spain in Santo Domingo. On the contrary, she and Spain escorted the Emperor's forces to Vera Cruz.

Since the independence of Mexico there had been a strong minority, mostly creoles submerged in the spongy mass of aboriginal republicanism, who yearned for a restoration of monarchy, if not under Spanish authority then monarchy of some kind under the protection of a great power of Europe. In the years 1853-1858 it dominated the Government of Mexico as the slavocracy dominated the Government of the United States. When the Liberal Republican leader Juarez of Indian blood gained power the monarchists went into open revolt. Mexico again collapsed into chaos. Whether in power or out of power the monarchists and their clerical allies were steadily soliciting European protection, British, Spanish, or French, or even all three jointly.

The unscrupulous expansionist designs on Mexican territory of the proslavery Democratic administrations in the United States gave the power of alarm to these monarchist leanings. On the other hand, the Mexican drift toward Europe disturbed the United States, particularly after the end of the Crimean War in 1856 had disengaged Great Britain and France. It led to provocative expressions like those of President Buchanan in 1858, and in 1859, when he actually proposed the occupa-



tion of Mexico in the name of the Monroe Doctrine and the Good Neighbor. In his annual message of 1859 to the Congress, he declared that Mexico was "a wreck upon the ocean, drifting about as she is impelled by different factions. As a good neighbor," he continued, "shall not we extend to her a helping hand to save her? If we do not it would not be surprising should some other nation undertake the task, and thus force us to interfere at last, under circumstances of increased difficulty, for the maintenance of our established policy."

This was like the policy of protective imperialism which fifty years later Theodore Roosevelt grafted onto the principles of President Monroe, except that in 1859 it was a design first and foremost to advance slavery; Roosevelt's, as we shall see, was not an acquisitive imperialism. Buchanan's Mexican policy, rejected by the Senate, might well have served as a model for Japan's Twenty-One Demands on China in 1915; \* but it cannot be affirmed too strongly that the United States as a nation refused to follow the banner of this Pennsylvania President's black imperialism. Witness the gigantic Civil War of 1861-1865, fought to stop the spread of slavery and make the Union indissoluble.

As soon as the great struggle within the United States became confirmed, a French army invaded Mexico and put an emperor, the Austrian Archduke Maximilian, under French protection on the throne of the ancient Montezumas, a new monarchy in America, promptly recognized by the great naval powers of Europe. Originally this intervention had a tripartite sanction—France, Great Britain, Spain—under the guise of ensuring the satisfaction of just claims<sup>22</sup> for damages to their na-

\* Under Buchanan's direction the United States Minister to Mexico, Robert M. McLane of Maryland, negotiated with the Juarez Government a treaty (the McLane-Ocampo Treaty) which in return for a loan of \$4,000,000 (of which \$2,000,000 was reserved for the satisfaction of American claimants) would have strapped Mexico back and forth with perpetual rights of way for the United States, with the added right to protect the transits with military force, for troops, mail, merchandise and military supplies across Mexican territory by the following routes: across the Isthmus of Tehuantepec (where a right already existed by the Gadsden Treaty of 1853); from Matamoras, or some other convenient point on the Rio Grande by way of Monterrey to Mazatlan on the Pacific Coast; and from Nogales, on the Arizona frontier, to Guaymas on the Gulf of California; with free ports of entry at the end of these routes, and a right to intervene, in case of great danger, without the consent of Mexico. A separate convention gave to the United States a general police power over Mexico. The United States Senate rejected these treaties by the overwhelming vote of 27-18, May 21, 1860. Fourteen southern and two northern senators voted for the treaties; twenty-three northerners voted against them. See J. M. Callahan, *American Foreign Policy in Mexican Relations*, New York, 1932, pp. 267-75.

tionals that had arisen out of civil chaos in Mexico, the same pretext which President Buchanan had unsuccessfully urged upon Congress for intervention by the United States there. The British partners to the original landing forces backed away from Mexican soil when they sensed the full scope of French designs. It was not that the British Government was unfriendly to the idea of monarchy, but because it realized the hostility which this move was bound to provoke in the



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#### MAP 8. DANGER TO THE MONROE DOCTRINE DURING THE CIVIL WAR

United States, even in both opposing sections, and it had to think of Canada. Isabella II's Government had long flirted on its own account with the monarchists of Mexico, but it jealously preferred a Bourbon to a Hapsburg prince to rule there; soon Spain became fully occupied in Santo Domingo; she also withdrew her troops from the risky Mexican enterprise before it was too late.

In its most grandiose concepts the puppet empire inspired visions of marriage alliances that would have united Mexico and Brazil and the intervening countries as well as Ecuador, Peru, and Bolivia. What a vast unbalance of liberty in the New World would have been brought about by such mad romantic dreams of monarchy for the Americas, had it not been for the Latin American policy of the United States!

It is not unsafe to assert that the Monroe Doctrine was one of the

principal barriers to these visions of power politics. We cannot say positively that it was the United States alone that saved the New World from this menace to its liberties, but it is certainly true that it was the only power that exerted any influence hostile to the intervention. The United States was a deterrent to full British cooperation in the Mexican intervention, as we have just seen. The uncertainty of the American Civil War was also a continual anxiety to the French Emperor. In these unfavorable circumstances Napoleon's costly Mexican intervention, like the Spanish war in Santo Domingo, began to buckle under the weight of its own difficulties. By the end of the American Civil War the Emperor had made up his mind to let go the bear's tail as soon as he safely could, to get out of Mexico, to abandon his hapless puppet to the vengeance of Juarez's troops. The known opposition of the United States, which Secretary of State Seward cautiously had made clear from the beginning, the clamorous demands of public opinion for the enforcement of the Monroe Doctrine, backed by an unanimous resolution of Congress in April, 1864, the rising tone of Seward's protests after Appomattox, the concentration of 25,000 veteran troops under General Sheridan on the Rio Grande frontier, all this made the French Emperor's predicament perfectly plain: he had to get his troops out of Mexico or the United States would put them out by force. On February 12, 1866, Seward demanded that the French Government set a time limit for the completion of evacuation. Napoleon's last soldier got out on time in the spring of 1867. Austria, too, expressly accepted a pointed admonition by Seward, in April, 1866, that the United States would not tolerate any military aid or protection to Maximilian by the puppet-Emperor's fatherland.

The victory of the Union meant victory for the Monroe Doctrine. At first the words of Monroe had been no more than a paper no-trespass sign to Europe: hands off the New World! The French imbroglio in Mexico, confronted by the spectacular triumph of the Union in 1865, minded the people of the United States of the Monroe Doctrine and transformed it into a major national policy, applauded in the New World, respected in the Old World as something for which the United States would fight and could do successful battle, at least in its own neighborhood. "It had become a true national dogma," says the historian of the Doctrine, Dexter Perkins, "endorsed by all parties, awakening an instantaneous response in the breasts of patriotic Americans."<sup>23</sup>

The Doctrine made itself felt as far south as Peru. In the spring

of 1864 a Spanish naval force seized the Chincha guano islands off the coast of that republic in reprisal for a brutal attack on some nationals working a plantation on the mainland. The naval commander, who also had the title of commissioner, announced that Spain had never recognized the independence of Peru, therefore she could recover her rights in the islands—presumably in all Peru too. Secretary Seward instructed the United States Minister in Madrid to protest this seizure and this principle, to make it clear that his Government could not regard with indifference an attempt to reduce Peru by conquest and reannex its territory to the Kingdom of Spain. This was Monroe Doctrine language, direct and clear. The Spanish Prime Minister immediately assured the American Minister that the Monroe Doctrine would not be called into question by any proceeding of Spain in or against Peru. In 1865 Spain gave up the islands after obliging Peru to settle claims and pay reparations of \$3,000,000. Obviously what applied to Peru held good in principle also for Santo Domingo: doubtless it had its effect in influencing Spain to withdraw from her fiasco there.

In South America hostilities between Spain and Peru spread to Chile, Ecuador, and Bolivia. The Spanish Minister at Washington, Tassara, in 1866 suggested that his Government might have to occupy the Chincha Islands again. The United States was then in a much stronger position. Seward once more instructed his diplomatic representative in Madrid to let the Spanish Foreign Minister know that any reoccupation of the islands would disturb harmonious relations with the United States. It was enough merely to let Mr. Tassara see this instruction; he promptly withdrew the notice that he had tendered to the Secretary of State.<sup>24</sup>

From the point of view of present tendencies toward inter-American solidarity it is interesting to observe that Seward, in dealing successfully with these threats to the Monroe Doctrine, declined overtures of Peru and Chile in 1862 for Pan American action against the French and Spanish interventions. This would have been impossible in 1862, if only because of the desperate nature of the Civil War in North America, but Seward would have none of such joint policy anyway. When a conference of Latin American states met at Lima in 1864 the United States was not invited, any more than it had been on the occasion of earlier such congresses since that of Panama of 1826. Chile and Colombia, after Seward's earlier aloofness, deprecated North American participation.

## 5

The French and Spanish intrigues and interventions during the North American Civil War got welcome only from the enemies of self-government and the champions of monarchy for the New World. The republics feared Europe—France, Spain, and Great Britain—more than they did the United States. They sympathized with the abolition of slavery and the preservation of democratic principles, for which the Federal Government stood. They realized that if the United States broke up, the Monroe Doctrine would perish and European interventions would succeed. The victory of the Union drew the United States and the sister republics of the western world into closer bonds of friendship.

Henceforth the United States Government and the people of the country remained keenly sensitive to the possibility of a violation of the Monroe Doctrine, particularly in the Caribbean area. Whenever diplomatic despatches reported rumors of European powers planning to acquire naval bases in the Caribbean, whether Great Britain, or France, or the new kingdom of Italy, or the new German Empire, successive Secretaries of State were prompt to instruct the appropriate diplomatic representatives to protest any such possibility. These protests rested directly or indirectly on the Monroe Doctrine. The European governments either laughed off the rumors or actually disavowed any intention to brook the United States in the specific circumstances. But none accepted the policy. Bismarck later went so far as to characterize it, not to an American diplomat but to one of his German intimates, as "a species of arrogance peculiarly American and inexcusable."<sup>25</sup> But neither the Iron Chancellor nor any of the statesmen or governments of Europe chose to challenge it directly. They had come to realize its grip on the American imagination and to have a healthy respect for the national power behind the Doctrine. It had become a force to be reckoned with. It gave pause to any thought of intervention in the New World.

President Grant would have made use of the new prestige of the Monroe Doctrine to acquire naval bases for the United States in the Caribbean, even to annex the Dominican Republic, over rumors of European plots, lest a European power should violate the Doctrine by doing so; but the Senate would have none of this. Grant's inclination to intervene behind the no-trespass sign which President Monroe had

set up against Europe foreshadowed Theodore Roosevelt's famous later Corollary. Following the Civil War there had come a sag of indifference, nay even positive reaction, to expansion in any direction, whether advocated by President Johnson and Secretary Seward, or by President Grant and Secretary Fish, whether in Canada or Cuba or the Virgin Islands. The purchase of Alaska—a one-man job for which Seward was almost solely responsible—and the occupation of the Midway Islands in the Pacific Ocean were all that the people of the United States would then tolerate of these ambitious plans of the new Republican apostles of Manifest Destiny. Their attention was taken up with the settlement of the Far West and the exploitation of the Industrial Revolution in North America.

When Ferdinand de Lesseps organized a French corporation, the Panama Canal Company, and began to dig a canal through the Isthmus of Panama under a concession from Colombia, public opinion in the United States, and statements in Congress, alleged that the control of such a canal by any foreign *power* would be a violation of the Monroe Doctrine. President Hayes in 1880 went out of his way to pronounce in favor of an American canal under American control. Secretary of State Blaine stated to the European powers in 1881 that control by any of them of an Isthmian canal would be a violation of the Monroe Doctrine. The French Government had already disclaimed any such intention. All the powers except Great Britain received Blaine's communication noncommittally. The British Government declared that so far as it was concerned the Clayton-Bulwer Treaty had settled the Isthmian question. Fortunately for the United States the French Panama Canal Company collapsed and with it any danger to the Monroe Doctrine from that quarter. Had the French Government taken over the company, or had any other power bought it up—as Disraeli did the Suez company in 1877 for Great Britain—the United States undoubtedly would have considered it a violation of the Monroe Doctrine.\*

It was not until 1912 that the Monroe Doctrine was expanded to provide for such a contingency, by the Lodge Resolution, which passed the Senate unanimously:

\* In the summer of 1898 the German shipping magnate Albert Ballin proposed that German capital, with the support of the German Government, absorb the reorganized French New Panama Canal Company in order to make possible a non-American canal. As long as Germany had to confront the British fleet in the North Sea the German Foreign Office was unwilling to challenge the Monroe Doctrine in the Caribbean, though the Admiralty had projects for naval bases there. Alfred Vagts, *Deutschland und die Vereinigten Staaten in der Weltpolitik*, New York, 1935, II, 1495 *et passim*.

"... when any harbor or other place in the American continents is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another Government, not American, as to give that Government practical power of control for national purposes."

If the British Government had attempted to do in Panama or in Nicaragua what Disraeli did in Suez, the United States would have immediately claimed, under the Clayton-Bulwer Treaty, a joint control, but there was little satisfaction in basing a position upon that disagreeable document. There was growing up in the Republic in the closing decades of the century a persuasion that this annoying Clayton-Bulwer Treaty that had admitted the principle of joint control, back in 1850—in the dark days of the sectional crisis of that year—was itself a violation of the Monroe Doctrine.<sup>26</sup>

We recall from earlier chapters that a landmark in the early Latin American policy of the United States was the No-Transfer Policy, crystallized by the resolution of Congress of January 15, 1811, a principle older than the Monroe Doctrine and, as we have seen, coupled with its dicta in the diplomatic exchanges of 1823, although it did not find expression in the actual text of President Monroe's famous message. In 1811 that policy had declared against the transfer of Spanish provinces contiguous to the United States from Spain to any "foreign" power. It was a matter of life or death for the United States to stop that. John Quincy Adams had extended the policy to Cuba in 1823, as we have seen. President Grant connected the No-Transfer principle with the Monroe Doctrine: "These [European] dependencies," he declared in his annual message to Congress of December, 1869, "are no longer regarded as subject to transfer from one European power to another. When the present relationship of colonies ceases, they are to become independent powers, exercising the right of choice and self-control in the determination of their future condition and relation with other powers."

Grant had in mind the Danish West Indies, for the purchase of which Secretary Seward had made in 1867 a treaty with Denmark (never ratified by the United States); and Santo Domingo, for which a personal agent of the President negotiated in 1870 a treaty of annexation (likewise never ratified by the Senate, to Grant's infinite chagrin). Doubtless he had more remotely in mind Cuba, and Canada. He came

back to the subject again in a special message of May 31, 1870, to the Senate urging the ratification of his annexation treaty with Santo Domingo. "The doctrine promulgated by President Monroe has been adhered to by all political parties," he declared, "and I now deem it proper to assert the equally important principle that hereafter no territory on this continent shall be regarded as subject of transfer to a European power." Secretary of State Hamilton Fish in a memorandum of July 14, 1870, explained to Congress that this meant that the No-Transfer Policy was part and parcel of the Monroe Doctrine. Since then it has been so regarded.

One indiscretion blemished the chastity of this formal union of No-Transfer principle to the Monroe Doctrine. A Secretary of State of the United States, William M. Evarts, in 1878 complacently tolerated the transfer by Sweden-Norway of their West Indies island of St. Bartholomew back to France, who had possessed it before 1815. Repeatedly since 1798 Sweden-Norway had tried to sell, or even to give away, to the United States this insignificant and economically worthless islet. Again and again the United States had declined the offer, although in 1869 Secretary Fish discouraged a plan of the Swedes to transfer it to Italy. The timid Evarts in President Hayes's Administration did not lift an eyebrow when Sweden-Norway announced its cession to France in 1878.<sup>27</sup> He thereby lost a splendid chance to force the acceptance by France of the No-Transfer principle and thus to add to the prestige and strength of the Monroe Doctrine in the opinion of European powers and in the imagination of his countrymen. This is the only violation of the Monroe Doctrine since the Civil War. The No-Transfer principle assumed new significance during the Second World War when the danger arose that Germany, having conquered France and the Netherlands, might take over their West Indies islands, which would bring the Monroe Doctrine to the greatest challenge of all its history.

The tiny spot left by the transfer of St. Bartholomew upon the newly furbished escutcheon of the Monroe Doctrine went unnoticed in the popular mind.<sup>28</sup> Rather, the Doctrine nursed itself upon the triumphs of Seward and the increasing national strength of the Republic of the North which had made possible those successes. The dogma and its ever-popular dicta grew in strength and favor until it reached its apogee of pretention in the great diplomatic victory which President Cleveland scored from an embarrassed Great Britain in 1896.



## 6

The reader recalls from the earlier pages of this chapter that by means of arbitrary boundary claims Great Britain between 1823 and 1836 had doubled the territory of the questionable *de facto* colony of British Honduras, and that the United States at that time, when the Monroe Doctrine had not taken hold of the popular imagination of the nation, nor much even of the meditations of its Jacksonian statesmen, when there was little power to enforce the Doctrine anyway, had cordially acquiesced in that British action, despite the complaints of Guatemala. The disposition in precisely the opposite manner of a strikingly analogous controversy over the boundary between Venezuela and British Guiana illustrates as nothing else can the virile development of the Monroe Doctrine during the nineteenth century.

This dispute had slumbered ever since the disruption of the Spanish Empire, which had left no agreed boundary, only the highly disputable ancient *uti possidetis* as a basis for limits. At first Great Britain had made not immoderate proposals for a line run by her own surveyors, but the Venezuelan Government would not accept these; British proposals came too suspiciously close to the mouth of the Orinoco River; and the Venezuelans countered with extravagant claims to the Essequibo. In turn the British expanded their claims. The discovery of gold in the hinterlands sharpened the boundary dispute, as it always does, and increased the pretensions of the contestants. The *Statesman's Year-Book* indicated the area of British Guiana in 1886 as 40 per cent larger than in 1885! On the Spanish Main within uneasy distance of the Isthmus, the boundary history of British Honduras was repeating itself in Guiana. Like Guatemala in 1836, Venezuela appealed to the United States in the name of the Monroe Doctrine as early as 1881, and tried, in vain, to strengthen her appeal by granting concessions to American citizens and corporations within the disputed area! The United States consistently exhibited a friendly concern for Venezuela's territorial integrity and offered its good offices to the disputants, for the purpose of settling their difficulties, by arbitration if necessary. Great Britain was not willing to submit the question to arbitration unless her territorial rights up to a minimum mark, set by herself, were first admitted.

The controversy did not arouse much interest in the United States during Cleveland's first Administration (1885-1889). The sequent Re-

publican interim awakened new visions of imperialism that had remained dormant since the Civil War, and glorified the Monroe Doctrine, but President Harrison made no move to do anything about the Venezuelan boundary. Just what impelled Cleveland to throw down the gauntlet to Great Britain over that question in 1895 has not been determined. No one can safely accuse him of imperialistic purposes—one has only to glance at his Samoan and Hawaiian record—nor even of beating, as Seward had thought of beating in 1861, the big drum of a foreign dispute in order to deafen political radicalism that so disquieted him at home. The most recent historian<sup>29</sup> of the subject has attributed the decision partially to the influence over Cleveland of the forceful Richard Olney, who succeeded the tranquil Gresham as Secretary of State upon the latter's death in 1895. It seems strange that a man of Cleveland's stubborn and resolute character could be so easily and immediately "pushed about" by his new Secretary of State.

A more likely explanation was the rising pitch of public insistence upon the Monroe Doctrine,<sup>30</sup> and the occasion that this presented to close his Presidency with a spectacular success in foreign policy that would deserve well of his countrymen. Cleveland's own explanation is that he felt that the Monroe Doctrine was plainly challenged, and that if it meant anything to the United States, he must make it good by insisting that Great Britain arbitrate.<sup>31</sup> In his annual message, December 3, 1894, Cleveland referred to his patient efforts to get the Venezuelan boundary dispute arbitrated, and Congress responded with an unanimous joint resolution (February 22, 1895) earnestly recommending it to both parties. It is not unlikely that the President and his Secretary of State perceived the unparalleled opportunity to press the issue because of Great Britain's contemporary stresses in the Old World, where she stood without an ally, at odds with France and Russia and nervous over the new German naval policy, with an imminent war on her hands in South Africa. "Great Britain has just now her hands full in other quarters of the globe," wrote Ambassador Bayard to Secretary of State Gresham, just after he had taken up his new post in London early in 1895. "The United States is the last nation on earth with whom the British people or their rulers desire to quarrel, and of this I have new proofs every day in my intercourse with them. The European nations are watching each other like pugilists in the ring."<sup>32</sup> The moment could not have been more propitious for a bold and wholesome stroke of American diplomacy.

Cleveland allowed Olney to state the issue in the form of instruc-

tions to Ambassador Bayard of June 20, 1895, for communication to Lord Salisbury, Prime Minister and Minister of Foreign Affairs. This note recapitulated the history of the dispute and demanded, in the name of the Monroe Doctrine, to know whether Great Britain would consent or would decline to submit the boundary to impartial arbitration. In the text of these instructions Olney took occasion to define and to explain the Monroe Doctrine at great length and in high tone, and to link to it the continental security of the United States and the cause of popular sovereignty in the whole New World. It was the most significant exposition of the Doctrine since its original pronouncement.

"Is it true, then," asked the Secretary, "that the safety and welfare of the United States are so concerned with the maintenance of the independence of every American state as against any European power as to justify and require the interposition of the United States whenever that independence is endangered? The question can be candidly answered in but one way. The States of America, South as well as North, by geographical proximity, by natural sympathy, by similarity of governmental constitutions, are friends and allies, commercially and politically of the United States. To allow the subjugation of any of them by an European power is, of course, to completely reverse that situation and signifies the loss of all the advantages incident to their natural relations to us. But that is not all. The people of the United States have a vital interest in the cause of popular self-government. They have secured the right for themselves and their posterity at the cost of infinite blood and treasure. They have realized and exemplified its beneficent operation by a career unexampled in point of natural greatness or individual felicity. They believe it to be for the healing of all nations, and that civilization must either advance or retrograde accordingly as its supremacy is extended or curtailed."

Olney backed up the Doctrine with a blunt and confident boast of power:

"To-day the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition. Why? It is not because of the pure friendship or good will felt for it. It is not simply by reason of its high character as a civilized state, nor because wisdom and justice and equity are the invariable characteristics of the dealings of the United States. It is because, in addition to all other grounds, its infinite resources combined with its isolated position render it master of the situation and practically invulnerable as against any or all other powers.

"All the advantages of this superiority are at once imperiled if the principle be admitted that European powers may convert American states into colonies or provinces of their own."

The climax of the note <sup>33</sup> characterized the Monroe Doctrine as "a doctrine of American public law, well founded in principle and abundantly sanctioned by precedent, which entitles and requires the United States to treat as an injury to itself the forcible assumption by an European power of political control over an American state."

How times had changed since 1823!

Lord Salisbury provoked Cleveland by delaying a reply until too late to be included in the President's annual message of December, 1895, to the Congress, and when he did make answer it was only to instruct the President of the United States that the Monroe Doctrine was acceptable in itself when properly understood, but that really it did not apply to this particular case. The thoroughly aroused Cleveland immediately laid the subject before Congress in a special message, and the correspondence became public property.

Anaemic academic folk and timid intellectuals in the United States deplored the implied ultimatum, but Professor Woodrow Wilson welcomed it; vocal politicians like the Republican Senator Henry Cabot Lodge and Theodore Roosevelt applauded it lustily; the press in general rallied to it (except for the financial and commercial journals); the public responded enthusiastically, and Congress supported it heartily. In London the message fell with all the weight of a shell from a trans-Atlantic twenty-inch gun. People there were dismayed at the prospect of a war with the United States over the distant jungle frontiers of Guiana. The Monroe Doctrine meant less to England than it did to the United States. Like the people of the United States the English people were interested first in their own affairs. A menace had appeared in the possibility of a German alliance with the recalcitrant Boers of South Africa at a time when Britain stood in splendid but dangerous isolation. The German Kaiser's telegram of congratulation <sup>34</sup> (January 2, 1896) to the Boer President, General Kruger, revealed this like a flash of lightning. Europe's distresses once more were America's advantage.

Even before the Kruger telegram a tide of reaction against the British Government's position had set in, in London. Anxious to have the friendship, if possible the alliance of the United States rather than its enmity, Lord Salisbury's Government capitulated to President Cleveland, and agreed to arbitrate with Venezuela. After considerable bickering over details, and delay in procedure, the arbitration took place, and the disputants accepted an award made October 3, 1899, after the Spanish American War had taken place, which did not very much vary from the first moderate British claims, except that it left the

mouth of the Orinoco fully within Venezuelan territory. Vindication of the Monroe Doctrine lay in the fact that Great Britain had agreed to settle the controversy in a manner regarded by the United States as reasonable.<sup>55</sup>

The acceptance of the Monroe Doctrine under these circumstances by the greatest naval power of the century brought to it unprecedented power and prestige. Cleveland had boldly plucked from the Anglo-Venezuelan nettle the flower of a spectacular diplomatic victory. No foreign diplomatist, no international lawyer whether a citizen of the United States, or of any other American nation, or whatever country, could accept Olney's pretension that the Doctrine then was "American public law." Not until our own day, not until the Buenos Aires Convention for the Maintenance, Preservation and Reestablishment of Peace, and the Havana Convention of 1940, can it be said that the pristine principles of 1823, together with the No-Transfer Policy of 1811, have become a doctrine of American public law. But ever since 1895 Great Britain has been willing to abide by the doctrine as defined by the United States. In Polk's time she had dropped back from North America to the Isthmus to check at that point the expanding power of the new Continental Republic. After 1895 she no longer contested it even there. Beset and bedevilled by Old World dangers to her exposed empire, she began to point her foreign policy away from any inter-American balance of power; for her part she left the New World to the American System, and henceforth she tried to bring the United States, thus strengthened, to cast its balance on her side in the world politics of the twentieth century.

'During the Era of Emancipation it had been the destiny of the borderlands and the independence of the New World that determined the Latin American policy of the United States. In the period of Manifest Destiny it was the vision and realization of the Continental Republic. Since then security for that Continental Republic, resting primarily on a naval defense against attack from beyond either ocean, has been the real touchstone of our policy toward the other peoples of the New World. The Monroe Doctrine, as an aegis of independence, of popular sovereignty and of continental security, fitted perfectly into that policy in all its phases.' So great a hold did the Doctrine have on popular imagination by the end of the century, so sacred a formula had it become for the foreign policy of the United States, that it would be easy for a future President to invoke it in good faith as an instrument of protective imperialism and in so doing to bring the Latin American policy of the United States to a parting of the ways.

## CHAPTER VIII

### *The Advent of Imperialism* (1895-1899)

#### I

IN the last decade of the nineteenth century imperialism laid its mantle over Manifest Destiny and galvanized that traditional faith of the American people in their expansive future with a purpose and a philosophy that went beyond the old blind instinct for the achievement and security of the Continental Republic, even one including all of North America.

The reasons for the "New Manifest Destiny" were several. First, the Far West was filling up; the official frontier, as marked on the United States census maps, disappeared some time between 1880 and 1890. The passing of the frontier released a formidable energy hitherto occupied with the settling of the prairies and the mountain valleys.<sup>1</sup> Secondly, the political economy of the nation had absorbed the first great impact of the industrial revolution. It was widely believed that the home market for manufactured goods was saturated, that in the future the United States must compete for world markets with the great industrial nations, the world powers, and that to sustain this competition it must be prepared to have a navy and naval bases more than enough to protect the continental United States. Thirdly, there were the expanded necessities of strategical security for the Continental Republic itself, requirements represented more and more imperatively in the Isthmus and the islands of the Pacific and Caribbean that controlled its maritime approaches. Fourthly, there was the beginning of a new modern navy and the support of it by a public opinion made anxious by Monroe Doctrine scares in the Caribbean and by the war crisis of 1891 with Chile.<sup>2</sup> Fifthly, there were the naval teachings of Captain Alfred T. Mahan and his political apostles.<sup>3</sup> Sixthly, there was the new

prestige and power that President Cleveland had given to the Monroe Doctrine.

Cleveland's interpretation pretended to nothing less than a hemispheric hegemony. Such a continental bugle-call sounded at a psychological moment, so to speak, in the history of a youthful nation conscious of its dynamic strength. Finally there blossomed forth an ideology based on Darwinism, a new and evangelical Manifest Destiny overseas for a chosen race, the "Anglo-Saxon race." So these new prophets called it, in words as unscientific as later invocations of the Aryan race.<sup>4</sup> The Anglo-Saxon race, they believed, was selected by the process of nature and the endowment of the Christian religion not only peaceably by irresistible attraction to federate all North America into one blessed republican union—the greatest goal of the old Manifest Destiny—but also to share with fellow Anglo-Saxons of the remaining British Empire the tasks of civilization in the darker places of the world, notably the Pacific regions.<sup>5</sup>

It was this new imperialism, this imitation of British policy, that misled the later exuberant apostles of the New Manifest Destiny into areas of the globe beyond the real interests of the United States—like the Philippine Islands. Even in this new age the vital interests of the United States did not touch any remote archipelago on the shores of eastern Asia—the American people before 1898 knew no more about the Philippine Islands than they know today about Zanzibar—but they were concerned vitally in the Hawaiian Islands, the Caribbean Sea and the Isthmus of Central America. To the significance of these places the people were wide awake. The Monroe Doctrine had long since been invoked to maintain their existing status. As a future canal became a certainty its meaning for the protection of the Continental Republic became axiomatic, and the relation of these islands of the continent to its defense became more and more indisputable.

We must keep constantly in mind the compelling geographical fact of the strategical significance of the Isthmus of Central America for a two-ocean nation as we seek to understand the foreign policy of the United States in its new role of imperialism. It will reinforce the historical interpretation that has been the thesis of the preceding chapters of this volume: the establishment of the Continental Republic and the fixing of its security in the New World. However enticing the novel cast of Manifest Destiny at the end of the century, whatever mistakes committed by a youthful power in the name of those false gods, world power and imperialism, the sound core of American imperialism was

essentially protective, conceived to defend the continental homeland. The proof of this is that within a third of a century after 1898 the Republic has largely sloughed off that dominion over alien peoples that is the badge of imperialism but has clung to the strategical outposts that are the ramparts of the continent even though they involve a certain minimum control over foreign folk.

## 2

The New Manifest Destiny found expression during the Administration of Benjamin Harrison, which intervened from 1889 to 1893 between the two disparate terms of the anti-imperialist President Grover Cleveland. The Republican Party in its victorious campaign of 1888 had indicted Cleveland's first Administration for its idle complacency in tolerating the extension of foreign influence in Central America while doing lip-service to the Monroe Doctrine.<sup>6</sup> The drift of opinion appeared in the press, in periodicals, in lectures by the professors of history—a relatively new *métier*—in debates in Congress, and in diplomatic notes.

It was a paramount purpose of President Harrison to strengthen political and commercial relations with Central America and South America. He had this in mind, along with other political considerations of a domestic nature, when he appointed James G. Blaine, the *enfant terrible* of the Republican Party,<sup>7</sup> as Secretary of State. During his brief term of office under President Garfield in 1881 Blaine had conceived an active Latin American policy. He had been a strong exponent of the Monroe Doctrine particularly in regard to the Isthmian question. He had favored the re-confederation of the Central American states as a means of preventing European intrusion in the Nicaraguan canal route. He had sought protection for the investment of American capital in Mexico. He had tried to make the United States instead of non-American powers the arbiter of disputes between the American republics, and between American republics and European states, and had gone so far as to invite all the independent states of the New World to meet in Washington in 1882 to perfect ways and means of maintaining peace in the Western Hemisphere.<sup>8</sup>

With Harrison's approval, Blaine revived in 1889 Seward's old projects to buy the Danish West Indies, to get naval bases in Haiti and Santo Domingo in the Caribbean; in the Pacific he sought to prevent Samoa, where the United States had secured right to a naval base at



Pago Pago in 1878, from slipping under the exclusive dominion of Germany or England, and finally he wanted to pick forthwith the "ripe apple" of Hawaii. Blaine was interested in the possibility of a naval base as far south as Chimbote<sup>9</sup> in Peru, that magnificent harbor that vies for capaciousness and anchorage with Acapulco, San Francisco Bay, Puget Sound, and Pearl Harbor. Such a program projected a wider circle into the Pacific than even Seward had contemplated: a broad arc of naval bases represented by the line Puget Sound-Pearl Harbor-Samoa-Chimbote, that would have been ideal for the defense of the future canal. Like Seward, these later apostles of Manifest Destiny also expected peaceable union with Canada some day. But Secretary Blaine soon became entangled in the indefensible controversy with Great Britain over control of seals in Bering Sea, and diverted by an absurd war crisis with the distant republic of Chile arising from a murderous mob attack on United States sailors on shore leave in Valparaiso. This regrettable episode distracted the foreign policy of President Harrison from its basic concepts. At the same time it served to emphasize the need of a larger naval force to defend the new cities of the West Coast, as well as the desirability of an Isthmian canal, for the quick passage of an Atlantic squadron in case of necessity. The outstanding feature of Blaine's Latin American policy was the meeting finally at Washington in 1889 of the First International American Conference.

After President Garfield's tragic death and Blaine's resignation, President Arthur caused the invitations to the conference at Washington to be withdrawn, although approximately one half of the states had accepted. The project became increasingly popular, and was agitated in Congress, resulting in the act of May 10, 1888, providing for a conference to consider economic and commercial problems and to draw up a scheme of arbitration. This became law without President Cleveland's signature. It was his Secretary of State, Thomas F. Bayard, who issued the invitations in response to the law. On his successor, Blaine, fell the grateful task of presiding over the assembly.

The Secretary's ostensible purpose in assembling the Conference seems to have been the promotion of trade and arbitration, and the meeting did not really accomplish much; but, as we shall see later on in this volume, it was the harbinger of a memorable movement that was to yield richer results in riper times, as Blaine himself prophesied in his closing address to the delegates.

In the national campaign of 1892 the new foreign policy of Harri-

son's Administration was put before the electorate, but not to a clear test. The Republican Party reaffirmed its approval of the Monroe Doctrine and registered its belief in "the achievement of the manifest destiny of the republic in its broadest sense." It declared the construction of the Nicaraguan canal, under the control of the United States Government, to be of the highest importance to the American people, both as a measure of national defense and for the building up and the maintenance of American commerce.

The Republicans met defeat, but not on issues of foreign policy. Cleveland's victory only held back the New Manifest Destiny, and even he blew a clarion note for a certain protective imperialism, in his Venezuela "dictate" to Great Britain in 1895. But Cleveland was satisfied with international control of the canal route, and he did not desire dominion or protectorates over alien peoples, even in Hawaii or in Cuba, not to mention Samoa. We can say that it was Harrison, not Cleveland, who represented the deeper instincts of American nationalism<sup>10</sup> in tune with the spirit of a new outlook—toward the Isthmus.

In the next campaign, in 1896, the Republicans reasserted Cleveland's interpretation of the Monroe Doctrine. They came out for a "firm, vigorous and dignified" foreign policy that would watchfully guard American interests in the Western Hemisphere at all times.

"The Hawaiian Islands should be controlled by the United States, and no foreign power should be permitted to interfere with them; the Nicaragua canal should be built, owned and operated by the United States; and by the purchase of the Danish islands we should secure a proper and much-needed naval station in the West Indies. . . . We reassert the Monroe Doctrine in its full extent, and we reaffirm the right of the United States to give the doctrine effect by responding to the appeal of any American State for friendly intervention in case of European encroachment. We have not interfered and shall not interfere with the existing possessions of any European power in this hemisphere, but those possessions must not on any pretext be extended. We hopefully look forward to the eventual withdrawal of the European powers from this hemisphere, and to the ultimate union of all English-speaking parts of the continent by the free consent of its inhabitants. . . . We believe that the government of the United States should actively use its influence and good offices to restore peace and give independence to the island [of Cuba]."

No more than in the previous election was it the issue of foreign policy which determined the choice of the people in 1896. Even President Cleveland voted against Bryan, populism, and free-silver. Nevertheless, Republican foreign policy by 1897 represented the prevailing

temper of the people, and it focused on the convenient Cuban question, which furnished the opportunity for the New Manifest Destiny, for a protective imperialism.

## 3

Without the Cuban question there would not have been any war with Spain, certainly, but back of the Cuban question there was the Isthmian question, that is to say, what power was to control the future waterway between the two oceans and the naval communications that would unite the increasingly populous seacoasts of the United States in an approaching new order of sea power. Given the independence of the island of Hispaniola with its two harmless republics long since free of European power, the islands of Cuba and Puerto Rico under the control or possession of the United States would throw out to the southeast a long earthly arm of protection for vital American interests in the Caribbean, in effect a barrier reef stretching as far as the Leeward Islands and commanding the principal approaches from the North Atlantic to this mediterranean area of the New World. East of Puerto Rico lay the Danish West Indies. Under the flag of the United States they could control the northern passages through the Leeward archipelago. So far so good, but a perfect embracement of the Caribbean would take in the French and British islands of the Windward group as far down as Trinidad; even then there would still remain that American Malta, the island of Jamaica, inside the barrier.

There was in 1898 no expectation of dislodging France and Great Britain from their historic positions in those strategic islands, and no plausible pretext for attempting to do so, but the condition of Cuba offered much hope and even some reason for displacing Spain in authority over the Pearl of the Antilles where her sovereigns had reigned since Columbus's time. If those Spanish islands could be annexed, or even made independent under the protection of the United States, that nation would be in a position henceforth to gainsay any European attempt to dominate a region of the seas so vital to the mastery of the future Isthmian canal; that is, to the defense of the Continental Republic which was the supreme achievement and the very basis of American nationality.

Such was the strategical frame of the Cuban question, the inspiration of the expansionists of 1898 and their "large policy" of protective imperialism.

Long before 1898 Secretary Seward had seen this frame, and the

islands in the picture; so had Grant and Fish, but in the midst of the reaction against expansion that followed the Civil War the Senate would have none of Seward's treaty for the purchase of the Danish islands, and voted down Grant's treaty for the annexation of Santo Domingo. During and after the Civil War the spectacular transcontinental railroads supplanted the maritime routes and the Isthmian cut-off in the popular imagination, particularly when no new naval power could yet be discerned in the Pacific. After the "last spike" was driven in the Union Pacific Railroad—on May 10, 1869, at Promontory Point, Utah, in a dramatic ceremony transmitted all over the nation by telegraph, blow by blow—few people went to the Coast by Nicaragua or Panama. The Cuban question was just as distressing, just as annoying to the United States in those years of the dreadful ten years' insurrection of 1868-1878, as it was in 1895 to 1898. If at that time the Government had been seeking a war in order to detach Cuba from Spain, the *Virginius* affair of 1873 would have offered a convenient pretext. But in this earlier period the United States was looking in upon itself instead of out upon the maritime world. Polemical Cuban historians<sup>11</sup> have waxed warmly indignant over the perfect propriety which the Grant Administration observed toward their heroic struggle; one can not fail to compare it with the benevolent neutrality shown toward the earlier revolutions of 1808-1822 for Latin American independence.

It is passing strange that Spain should not have learned from her own disastrous colonial history or from the exemplary constancy of Canada under home rule within the British Empire, that real self-government was indispensable for the continued loyalty of a civilized, albeit a benighted people, accursed by centuries of tyranny. There were in Spain statesmen of luminous intelligence who understood this, and nowhere can we find more flaming rebukes of Spanish policy, but they availed nothing against the inveterate insouciance and hopeless procrastination of the monarchy. A new generation of Cubans, fed with funds from juntas of exiled insurrectionists who collected money and supplies in the United States, rose up to revolt again in 1895.

They could not face the large and well-equipped Spanish army in open combat with any reasonable prospect of success. Their only hope lay in wracking the island with fire and machete by guerrilla warfare so that no army, no "peninsular" society, could exist there. To use a later phrase, they resorted in the name of liberty to a "scorched earth" policy. They were "determined to unfurl triumphantly, even over ruin and ashes, the flag of the Republic of Cuba." The only way the Span-

ish could cope with this type of ruthless warfare, in which a Cuban patriot might appear one day in the tatters of an armed and gruesome guerrilla and the next in the rags of an unarmed and guileless civilian, was to herd all the inhabitants of an insurrectionary district into concentration camps, as the British did in the Boer War and the United States did in the Philippine insurrection, and to treat as a dangerous combatant every able-bodied man met outside. Unlike the British and the Americans, the Spanish authorities proved unequal to the tasks of sanitation and sustenance of the civilian *reconcentrados*, who perished pitifully by the tens of thousands.

These dreadful scenes went on only a few score of miles from the shores of the United States. They aroused universal sympathy among good people in the neighboring republic, even as Armenian horrors in Asia Minor shocked men and women through the United States. Secretary Olney had gone so far as to declare that the United States would not be altogether unwilling to join Great Britain under certain circumstances in "putting the Armenian charnel house in order."<sup>12</sup> Is it any wonder that the American people revolted at the harrowing Cuban panorama of woe in an island so strategically vital, so close to their own Gulf coast, and that they began to feel that at last they must do something about it?

President Cleveland, whose anti-imperialism went so far as to blind him in the case of Hawaii to imminent strategical requirements of continental security in the new age, pursued the same unexceptionable—except to the *insurrectos*—path of conduct toward the Cuban question that Grant and Fish had followed a generation earlier: determined protection of the treaty rights of American citizens in Cuba, and offers of mediation to both sides, lest another protracted period of hostilities put further long strain on Spanish American relations. Like previous Presidents in 1849-1853 and 1868-1878, Cleveland put into execution the domestic neutrality laws which forbade the fitting out or recruiting within the United States of hostile expeditions against the authority of a friendly power. The Cubans disliked this restriction; Spain complained at its laxity. The President importuned Spain to accept his good offices to end the insurrection on the basis of home rule for Cuba, like Canada. He assured that power that the United States had no designs on Spanish sovereignty. He even expressed his belief that it was necessary for Cuban stability. We are constrained to believe that the Spanish Government made a big mistake in declining that offer, and in responding in a cavalier manner that the United States would

do better to enforce its neutrality laws more effectively.\* Secretary Olney warned Spain that if a new administration should come into authority in the United States election of 1896, it might not be able to curb the forces of intervention that were rapidly gathering headway. The Spanish Government, not unaware of this contingency, was then formulating a futile appeal to the powers of Europe to unite to prevent any intervention in Cuba by the United States in the event of a Republican victory.<sup>13</sup> Even the patient Cleveland, following the Republican triumph of 1896, declared in his last message to Congress, after reviewing calmly the Cuban question, that a situation conceivably could develop in the island, "in which our obligations to the sovereignty of Spain will be superseded by higher obligations, which we can hardly hesitate to recognize and discharge."

The victorious Republican Party had declared for the independence of Cuba. The new President, William McKinley, was a sincere and pious Christian who would have preferred to see Cuba free without war. Despite his party's platform, he was willing, like his predecessor, to bring about a peace that would have stopped short of independence: home rule within the empire, letting such autonomy ripen some day to independence. He does not seem to have sensed the strategy of the "large policy" of continental defense, that Captain Mahan, Theodore Roosevelt, Senator Henry Cabot Lodge, Dr. Leonard Wood, and the apostles of the New Manifest Destiny were talking and writing about to each other. He had seen the dead piled up in one war and he did not

\* Most of the expeditions carrying munitions and men to the Cuban insurrectionists naturally put out from the United States instead of England or Europe because it was so much nearer. On the other hand, revolutionists in Spain in former years, like the Carlists, had sought their succor in England or Europe.

The most distinguished Spanish authority on international law, the Marquis de Olivart, made a thorough analysis of these hostile expeditions and their fate in his study of "Le différend entre l'Espagne et les Etats-Unis au sujet de la question Cubaine," published in *Revue générale de droit international public*, IV (1897), 577-620; V (1898), 358-422, 499-555; VII (1900), 541-629; IX (1902), 161-202. Of the 71 expeditions known to have been attempted from all sources he found that 27 were successful. Spanish forces intercepted 5 on the coasts of Cuba; while the United States stopped 33, Great Britain broke up 2, storms frustrated 4. The Cuban historian Portell Vilá (*op. cit.*, III, 130, 193) bitterly indicts the "unfairness" of the United States in enforcing these neutrality laws whilst permitting Spain to take away military supplies of all kinds for use in suppressing the Cuban insurrection. There is a good review of the subject in Elbert J. Benton, *International Law and Diplomacy of the Spanish-American War*, Johns Hopkins Press, 1908. He points out that earlier decisions of the lower federal courts gave some latitude to the operations of the filibusters, but this was later restricted by the Supreme Court.

want to see another.<sup>14</sup> He made no radical move to profit by the Cuban situation, as the young imperialists wished. He too was patient and conciliatory. Six months passed by, and then he merely repeated Cleveland's proffer of good offices. Apparently Spain interpreted this to mean that a change in administration did not mean intervention, after all.

The Madrid Government answered McKinley as they had replied to Cleveland. Then in October, 1897, a new Liberal Government came into power, under Praxédes Manuel Sagasta, and made prompt and genuine efforts to solve the Cuban question by grants of a large measure of self-government, including all rights enjoyed by subjects in the kingdom at home, and the electoral laws of Spain itself. They also quickly recalled General Weyler, the sponsor of reconcentration, notorious for the harshness of his military methods.

This would have satisfied the Cubans completely before their insurrection. Now they would have none of it. They beheld in the offing their complete independence. They knew that every day, every hour, their cause was more and more popular in the United States. They hoped for the intervention of their great friend and neighbor, the republic of the mainland, to free them from their monarchical mistress in the Old World. Traditionally through her history Spain had procrastinated for fear that action might mean loss, and yet she lost. Now the delay of action meant loss of the last vestige of Spain's historic empire in the New World.

Still the peaceful McKinley made no move. He waited to see if the reforms announced in Madrid would bring peace without intervention. Behind him the people were increasingly restive, stirred up by the competition of the New York "yellow" press that was boosting its rival circulations by the exploitation of Spanish atrocities, true and false, with never a word of Cuban irregularities. Had not the Republican Party pledged itself to Cuban independence? Nevertheless, the President declared to Congress, in his first annual message (December 6, 1897) that before taking the next step, whether recognition of belligerency (as Congress had demanded); or of actual intervention (which the country would certainly support at any time), but never of forcible annexation (that would be unthinkable, a "criminal aggression"); the United States would stand by and allow time for testing the sincerity and effectiveness of the new Spanish reforms. No American citizen, said the chief magistrate, was illegally detained in Cuba. At great expense and effort, he explained for Spain's notice, the Government was enforcing its municipal neutrality laws. These were not the words of

a jingo. Nor were there any jingoes in McKinley's Cabinet, nor among his close advisers.

It was the people who wanted intervention, roused as they were by sentimental feelings played upon by irresponsible journalists, by the instinctive awareness of their continental position, by the new outward urge of national feeling, and by provocative incidents (the mysterious destruction of the U.S.S. *Maine* in Havana harbor, the publication of the Dupuy de Lôme letter)<sup>15</sup> which chance timed so well. All this delighted the deliberate interventionists: the Roosevelts, the Mahans, the Lodges, the Beveridges, and their disciples. The politicians felt the pulse of popular excitement. Congressmen of all political complexions spoke up for war. Ambitious young statesmen on the make catered lovingly to the demand. McKinley weakened. He was afraid that if he resisted the tide it would sweep him off his feet; Congress would declare war, even over his head. "He well knew that his reputation was at stake."<sup>16</sup> He would be left a President without a party, a John Tyler with no hope for a second term. The instinctive national urge for war overwhelmed the President and his advisers. On March 27, 1898, after a series of representations, he submitted to Spain the famous demands, in a despatch to the United States Minister at Madrid:

"Believe the *Maine* report will be held in Congress for a short time without action. A feeling of deliberation prevails in both Houses of Congress. See if the following can be done:

"First. Armistice until October 1, negotiations meantime looking for peace between Spain and insurgents through friendly offices of President of the United States.

"Second. Immediate revocation of reconcentration order so as to permit people to return to their farms and the needy to be relieved with provisions and supplies from United States, cooperating with authorities so as to afford full relief.

"Add if possible:

"Third. If terms of peace not satisfactorily settled by October 1, the President of the United States to be final arbiter between Spain and the insurgents.

"If Spain agrees as above, President will use friendly offices to get insurgents to accept the plan. Prompt action desirable."<sup>17</sup>

Unfortunately Spain did not take these demands for the ultimatum that they were in fact if not in form. The Queen did revoke (March 30) the reconcentration order, but delayed an armistice because the Cubans would not ask for it. Characteristically she called to Europe for help, as the King of Spain had done three-quarters of a century before at the time of the Holy Alliance. At the eleventh hour, on the eve of



her final exit from the American scene at the end of the century, Spain again appealed to the powers of Europe, this time to block any interference by the United States in Cuba.

The Queen Regent sent personal entreaties to the crowned heads of the monarchical powers, two of whom (the Emperor Francis Joseph and Queen Victoria) were her relatives. The Madrid foreign office importuned also the French Republic, whose citizens held a billion dollars' worth of investments in Spanish railways, government bonds and other securities. To the five monarchies a plea was made to save the throne itself, for most observers believed that if the Queen lost Cuba to the United States the Spanish Republicans would overturn the monarchy. The German Kaiser in 1896-1898, like the Russian Czar in 1818-1823, was eager to prevent any European lesion in the monarchical principle. More than this, he wanted to avoid any disturbance, by a Spanish American war, of the status of the Philippines and other Spanish islands of the western Pacific for which German diplomacy was then casting its net. But he did not wish to assume the initiative in a collective move, for fear that Great Britain might exploit it to cultivate closer relations with the United States. Therefore the German Government persuaded the Catholic Emperor of its ally, Austria-Hungary, to take the lead.<sup>18</sup>

Under this covert impulsion the great powers of Europe (Austria-Hungary, Germany, Russia, Italy, France, and Great Britain) tried first in Washington, then in Madrid, to prevent the war. In Washington they instructed their ambassadors to present a note to President McKinley (April 7, 1898) while his message to Congress still lay locked in his desk awaiting the last departures of United States citizens from Cuba. This move on the part of Europe to regulate the affairs of the New World had only a gilded semblance of collective unity. Again it was the British Government that broke the maneuver, more gracefully than in 1823. It consented to participate in the *démarche* only if the United States knew about it beforehand and did not object. Thus rehearsed and made harmless, the joint expostulation became innocuous, like the routine speech of an ambassador at his first reception. McKinley had his note of reply all written out in advance. The six ambassadors made their collective bow at the White House and in the name of their governments presented a joint and "pressing appeal" to the "humanity and moderation" of the President and of the American people. "They earnestly hoped that further negotiations would lead to an agreement which, while securing the maintenance of peace, would

afford all necessary guaranties for the reestablishment of order in Cuba." By polite and studious prearrangement President McKinley bowed the ambassadors back over the threshold with similar language friendly couched like theirs: "The Government of the United States appreciates the humanitarian and disinterested character of the communication now made on behalf of the powers named, and, for its part, is confident that equal appreciation will be shown for its own earnest and unselfish endeavors to fulfil a duty to humanity by ending a situation the indefinite prolongation of which has become insufferable." So the matter passed off harmlessly.<sup>19</sup>

The powers next shifted their attention to Madrid. They submitted to the Spanish Government (April 19) a note similar to the one presented to President McKinley. At the same time the Pope, at the instance of Austria-Hungary, actuated by her German ally, sounded out the United States and Spain as to his mediation on the basis of Cuban independence. This move failed, too. Finally the Pope, and the powers, urged Spain to grant an armistice, even to sacrifice Cuba if necessary.

At last Spain capitulated. Señor Gullon, Minister for Foreign Affairs, responded that same day to the note of the powers: at the solicitation of the Holy Father, he announced, and on the friendly advice of the six powers, the Queen had ordered a cessation of hostilities in Cuba. Actually the term and arrangement of armistice were left to the regulation of the Governor-General, and did not meet unequivocally the full specifications of President McKinley's demands, but the concession was as great as could be accepted short of a formal and absolute ultimatum. The American Minister, Woodford, telegraphed from Madrid that he was sure with these concessions he could get peace. "Would the peace you are so confident of securing mean the independence of Cuba?" answered the Secretary of State, William R. Day, impatiently, "The President cannot hold his message longer than Tuesday." Woodford thought he could secure independence.<sup>20</sup>

The President had decided to turn the matter over to Congress, delaying a few days to get Americans out of Cuba. Before he sent in the message of April 11, which meant intervention, he knew that Spain had revoked the reconcentration order and had ordered a cessation of hostilities. Whether the Cuban *insurrectos* would accept an armistice McKinley did not know, but he did not wait to see. Conscientiously, he did not fail to mention the last Spanish concession: it was for Congress to decide the Cuban question, he concluded. That Congress would vote for war, he well knew. He believed that he could not stop it.

Quickly and overwhelmingly the House of Representatives passed, by a vote of 311 to 6 (April 15), the resolution that meant war.

Before the Senate voted \* (April 19) another European *démarche* took shape in Washington. Apparently at the personal behest of Queen Victoria, Sir J. Pauncefote, British Ambassador and dean of the diplomatic corps, lent his pen and name, if not his actual initiative, to the formulation of a new remonstrance. Behind embassy portals on Connecticut Avenue the six ambassadors met again and drew up a second note saying severely that American intervention was "unjustifiable." But none dared to join his colleagues in presenting such a statement without referring it first to his government, and none of the governments (save Austria-Hungary) would sanction such a second step. As in 1823, Europe was too divided, in rival camps—with Great Britain a worried and isolated onlooker, courting the United States for her own purposes—to unite in any real action. The British Prime Minister long since had passed the word to Washington that what the United States did about Cuba was no affair of England's.<sup>21</sup> For higher reasons of state Lord Salisbury overbore Queen Victoria's monarchical and family sympathies. "The Powers are sorrowfully agreed," he mournfully informed the Queen, "that at this stage nothing further can be done to arrest the war. Even the very temperate and guarded note which was addressed by the Powers to the U. S. Government was very much resented by a large portion of the community as an undue interference, and had no other effect than to harden the war feeling."<sup>22</sup>

Once more Europe's distresses were America's advantage. The speedy dissipation of this shadow of another Holy Alliance at the end of the nineteenth century was a triumph for the traditional Latin American policy of the United States.

It is difficult to find a sober historian, of whatever nationality, who does not seem convinced (like Benton, Jerónimo Becker, Callahan, Chadwick, Flack, Portell Vilá, Pratt, Robinson, Vagts) that the United States could have won its way in Cuba without intervention. But McKinley was not strong enough to do it without war. Against his own will, he became a war President; not against his will he became a second-term President.

The war was thus a people's war, not an Administration war, not the work of politicians. Had there been such a constitutional device as a popular referendum on a declaration of war, the people of all sections

\* The Senate vote on the resolutions for intervention, including the Teller Amendment, was 68 to 21.

would have voted for it with a whoop, including William J. Bryan, the radical Populist leader.<sup>23</sup> On the other hand, Senator Mark Hanna, the Republican Party "boss," was opposed to war in 1898. Above all, the war was not a plot of "big business," which was definitely opposed to intervention.<sup>24</sup> Not more than \$50,000,000 had been invested by citizens of the United States in Cuba, and practically nothing in the independent republics of Central America and the Caribbean whose political geography was inevitably bound to the Cuban question and to the Isthmian question behind it. What American capital there was in Cuba was more opposed to insurrection and the turbulence of intervention than in favor of it, even if presented with the prospect of possible annexation of the island. The Sugar Trust, which had got control of most of the investment in cane plantations and grinding mills, had been powerless to prevent passage of the Wilson Tariff Act back in 1894, which placed a tariff on the importation of raw sugar which had been free since 1890.<sup>25</sup> Had "big business" controlled the policy of the United States toward Cuba, it would never have tolerated this feature of that tariff act.

The young imperialists of 1898 knew exactly what they wanted to get out of the Cuban question and the war that the people had clamored for with Spain: that was to make Cuba independent if not to annex it, to acquire Puerto Rico, to hold the Philippines, and at last to annex definitively the Hawaiian Islands. "You must get Manila and Hawaii; you must prevent any talk of peace until we get Porto Rico and the Philippines as well as secure the independence of Cuba," wrote Lieutenant Colonel Theodore Roosevelt, *ci-devant* assistant secretary of the navy, from an army transport sailing for Cuba, to his friend Senator Henry Cabot Lodge, who needed no reminder. The imperialist Senator had already assured him: "Unless I am utterly and profoundly mistaken the Administration is now fully committed to the large policy that we both desire."<sup>26</sup>

## 4

In his study of the *Expansionists of 1898*, Julius W. Pratt has shown how the imperialists prevailed over the more timid business interests of the nation, even to the taking of the Philippines; again how, after the accomplished fact, many business interests were converted.

Some of the men of 1898, like Albert J. Beveridge and Whitelaw Reid, were for out-and-out annexation of Cuba as well as Puerto Rico and Hawaii. Others, like Leonard Wood, expected that an independent

Cuba, by the choice of its own people, would seek annexation and, of course, not be denied. As military governor of Cuba he labored to promote a feeling for annexation. But historians of Cuba in its relations with the United States and Spain have tended to stress the forces that made for annexation and to overlook the forces that have opposed it. It is the latter which have decided the question, almost to the disappointment of those investigators who seek to impart a taint of selfishness and annexation, rather than of continental security, republican self-government, liberty and idealism to the Latin American policy of the United States. When, possibly at the suggestion of a professed friend of Cuban independence,<sup>27</sup> Senator Teller of Colorado, an apostle of the New Manifest Destiny—that dictum of self-determination as well as of peaceful expansion—proposed his famous amendment to the joint resolution of April 20, 1898, for intervention in Cuba, it was accepted without debate. This famous self-denial ordinance, which some of the imperialists may have regretted, undoubtedly expressed the instinct of the people of the United States toward Cuba, as well as of the McKinley Administration: "That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over the said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people."

These words sounded hollow to a cynical Europe and Asia hardened to a contrary practice. They have been made good.

A century of experience had confirmed the No-Transfer Policy, particularly in regard to Cuba: that the island, so vitally situated for the security of the United States, should not pass from weak Spain to a stronger non-American power. The Latin American policy of the United States—if we except the repudiated and punished plottings of the slavery expansionists—had never called for the annexation of Cuba against the will of its people. It had willed the ejection of Spain at the right moment—that came in 1898—and the strategic control of the approaches to the future canal so vital to the continental security of the Republic; <sup>28</sup> that was accomplished by the war with Spain and the Platt Amendment which settled in 1902 the relation of Cuba to the United States at least for the time being.

Nowhere is the real purpose of the United States in the War of 1898 with Spain stated more frankly and concisely than in the Platt Amendment reserving to the United States the right to intervene in Cuba to protect life, property, and individual liberty, to preserve the independ-

ence of the island, *and to facilitate the defense of the United States*, including naval bases. No historian can better explain the Latin American policy of the United States, as expressed in the Cuban question and the war with Spain, than did Secretary of War Elihu Root, the author of the Platt Amendment. He stressed the duty and interest of the United States under the peace treaty of Paris to "assume and discharge the obligations that might, under international law, result from the fact of the occupation [of Cuba], for the protection of life and property," but he insisted equally on the traditional policy of the United States, so stressed in this volume, not to permit, under any circumstances, any foreign power other than Spain to acquire possession of the island of Cuba. "It would be a most lame and impotent conclusion," declared Root, in laying down the terms which the United States should insist upon in regulating its relations with Cuba, "if after all the expenditure of blood and treasure by the people of the United States for the freedom of Cuba, and by the people of Cuba for the same object, we should, through the constitution of the new government, by inadvertence or otherwise, be placed in a worse position in regard to our own vital interests than we were while Spain was in possession. . . ."

The Amendment \* was embedded in the constitution of independent Cuba and in a *perpetual* treaty with the United States that by its nature could be modified only by the consent of both parties. Its purpose was to give unexceptionable legal bulwark to intervene, not for the purpose of meddling or interference with the affairs of a Cuban government, but to prevent the possibility of any justification or even pretext for a non-American power to intervene in Cuban affairs<sup>29</sup> and thus to imperil the continental security of the United States by threatening the naval communications between its two seacoasts. It was not to exploit Cuba; on the contrary the treaty of commercial reciprocity which followed in 1903 gave to her people unique and valuable passageways through the United States tariff wall for their principal crops. The treaty "froze" the existing freedom of entry of all goods coming untaxed into either country from the other, including sugar, and gave to imports from Cuba a 20 per cent preferential; in return Cuba gave concessions from 20 to 40 per cent on "products of the soil or industry of the United States," but tobacco from the United States got no tariff reduction in Cuba.<sup>30</sup> Without this generous treaty Cuba could not have flourished, because sugar and tobacco, particularly sugar, were her principal profit-

\* For text, see note at end of chapter.

able crops, and her dependence on these could not be altered quickly. Independence, under United States protection, and commercial reciprocity brought unheard-of health and prosperity to the Cubans, yet there are some Cuban historians who accuse the United States of fixing Cuban economy to a single crop and believe this to have been a device to tie Cuba economically to the United States, like Hawaii, as a step toward annexation.

It cannot be justly said that these benevolent relationships with Cuba were designed as a step toward annexation. Neither Secretary Root, the constitutional architect of the Cuban protectorate, nor his chief, President Theodore Roosevelt, worked for that.<sup>31</sup> What they wanted, we repeat, was to preserve the right of intervention in order to insure the defenses of the United States against any cause for intervention by a European power. There were those statesmen, however, and the military governor during the first occupation (Major General Leonard Wood was the most ardent of them) who hoped the Cubans would be so pleased with their protectors that of their own will they would seek to come into the United States, but Wood would not have forced the marriage, even if he did a-wooing go, with sugar and with reciprocity.

The New Manifest Destiny, the Cuban question and the war with Spain had ushered in a new era in the Latin American policy of the United States, an era of protective imperialism focused on the defense of an Isthmian canal in a passageway between the two seacoasts of the Continental Republic vital to its naval communications and to its security. The security of the Continental Republic has always been the primary consideration of foreign policy, and to this its Latin American policy has been a major adjunct. As the United States entered the twentieth century, highly conscious of its new rank as a world power, we must now turn again to the Isthmian question, that is, to the Panama Canal, or, as I prefer to put it, we must examine the Panama Policy of the United States in the new epoch of protective imperialism.

#### THE PLATT AMENDMENT

At Secretary Root's suggestion Senator Teller appended the conditions upon which the United States would evacuate Cuba as an amendment to the army appropriation bill of March 2, 1901, thus making it plain that Congress was overwhelmingly behind the stipulations. As expressed in the text of the treaty concluded on May 22, 1903 (proclaimed July 2, 1904), the terms of the Platt Amendment were:

*Article I*

The Government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes, or otherwise, lodgment in or control over any portion of said island.

*Article II*

The Government of Cuba shall not assume or contract any public debt to pay the interest upon which, and to make reasonable sinking-fund provision for the ultimate discharge of which, the ordinary revenues of the Island of Cuba, after defraying the current expenses of the Government, shall be inadequate.

*Article III*

The Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the Treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba.

*Article IV*

All acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

*Article V*

The Government of Cuba will execute, and, as far as necessary, extend the plans already devised, or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the Southern ports of the United States and the people residing therein.

*Article VI*

The Island of Pines shall be omitted from the boundaries of Cuba specified in the Constitution, the title thereto being left to future adjustment by treaty.

*Article VII*

To enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the Government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations, at certain specified points, to be agreed upon with the President of the United States.



## CHAPTER IX

### *The Roosevelt Corollary and Dollar Diplomacy (1899-1913)*

#### I

THE intervention in Cuba and the war with Spain took place while men's minds were still fixed on the old order of sea power. The victory of Japan in the first Sino-Japanese war, of 1895, and the beginnings of the new German navy as evidenced in the naval law of 1898, had not yet begun significantly to concern American naval strategists, let alone American public opinion.<sup>1</sup> It was rather the British navy which had blocked the way in the Caribbean, together with the Clayton-Bulwer Treaty that went back to the foreign and domestic crisis of 1850. If the future Isthmian canal and naval control of its approaches had been esteemed necessary in the old frame of naval strategy that closed the nineteenth century, they were to become triply important as the twentieth century ushered in a new order of sea power.

Three new naval powers were born at the beginning of the present century. One was the United States. The other two were Germany and Japan. Neither of the new powers of the Old World had a hostage like Canada on the other side of an undefended land frontier from a people whose industrial strength and manpower was doubling and redoubling generation by generation.<sup>2</sup> The German and Japanese naval power created new problems of defense for the United States as well as for the British Empire. They became finally joint problems.

As British diplomacy reoriented itself to the new order, Her Majesty's Navy became even less an anxiety of American defense; the Venezuelan boundary crisis of 1895 demonstrated that. If Venezuela had not been enough to clinch this conclusion one could have reflected on the necessity to England of North American supplies in time of war,

both from the Dominion of Canada and from the neutral United States. With British naval power withdrawing from the Caribbean Sea, there emerged in the twentieth century the greater and more complex problems of defending North America against the new potential ocean dangers: first, defense against either the German or Japanese navy; after 1914, the conceivable possibility of having to defend the Atlantic and the Pacific coasts against both at the same time. This last, double danger was postponed in 1918, to appear in our present days. It is indispensable that we bear in mind constantly the situation handed on by the expiring nineteenth century as we seek to understand the foreign policy of the United States in its new role of imperialism. The purpose of this chapter will be to explain in this light the interventions by the United States in the Caribbean and Central America in the period between 1898 and 1913 in order to secure the approaches to the Isthmus against a lodgment of non-American power and control while the Panama Canal was a-building.

## 2

The first and immediate problem was adjustment of Anglo-American relations to the results of the war with Spain: this required the abrogation or at least amendment of the old Clayton-Bulwer Treaty. As the peace treaty was being concluded with Spain in Paris, President McKinley in his annual message to Congress, December 5, 1898, turned from the successful conclusion of the war to the Isthmian question which lay back of that conflict. More than ever, he declared, the results of the war made necessary a maritime highway between eastern and western seaboard; more imperatively than ever national policy called for its control by the United States, propositions which he doubted not the Congress would duly appreciate and act upon. He did not say anything in this message about the Clayton-Bulwer Treaty.

The President was shrewdly needling Congress with the Isthmian elixir of Manifest Destiny to make it threaten to jump the treaty obstacle if Great Britain should not help get it quickly out of the way. Already Congress had created a canal commission to study the engineering problems of rival canal routes, and even then there was a bill before the Senate looking toward American control over the construction of a canal. Of course, this would not have been allowable under the Clayton-Bulwer Treaty, which required joint Anglo-American control and complete neutralization of an unfortified waterway. Before the war with

Spain, Secretary Olney had sounded out the British Ambassador about modification of the treaty of 1850 on the ground that times had changed. He met no rebuff. After the peace Great Britain, anxious for American friendship, even alliance, admitted the new situation all the more readily, particularly when it appeared that Hay was not unwilling to continue the absolute neutralization of the projected canal (even in respect to an enemy of the United States).

In this new frame of international politics, Secretary John Hay and Lord Pauncefoot quickly initialed (January 11, 1899) the draft of a new canal treaty that modified but did not supersede the treaty of 1850. But all that the new treaty did was to permit the United States to build the proposed canal at its own expense and operate it on terms of entire equality for all nations, free and open in times of peace as of war. This "first" Hay-Pauncefoot treaty specifically prohibited fortification of the canal, and the continuing residue of the old Clayton-Bulwer Treaty prohibited the United States (as well as Great Britain) from exercising dominion or sovereignty over an Isthmian canal or state. The British Government delayed signature of the treaty in an endeavor to couple a favorable settlement of the Alaska boundary with this putative concession on the Isthmus.

Hay would not go as far as Alaska to make a bad bargain worse. After a year's delay the British Government, pressed by distresses in the Old World and in Africa, signed the treaty (February 5, 1900) without reference to Alaska. Hay actually preened himself on a diplomatic triumph. Certainly his treaty was nothing to boast of. It would have renounced much of the strategical winnings of the war with Spain. The expansionists of 1898 were quick to denounce it. Governor Theodore Roosevelt of New York pointed out that it would weaken rather than strengthen the naval power of the United States *vis-à-vis* a superior navy, which could send its fleet through the canal to attack either seacoast. "One prime reason for fortifying our great seaports," he said, "is to unfetter our fleet, to release it for offensive purposes; and the proposed canal [under the terms of the "first" Hay-Pauncefoot treaty] would fetter it again, for our fleet would have to watch it; and therefore do the work which a fort should do; and what it [a fort] could do much better."<sup>3</sup> It was contrary to the Monroe Doctrine, Roosevelt believed, for any non-American power to have any control over the Isthmian canal. Both political parties confirmed Roosevelt's opinion in their platforms for the national election of 1900. The Republicans declared, for "the construction, ownership, control and protection of an

isthmian canal by the Government of the United States." The Democratic platform condemned the Hay-Pauncefote treaty as a "surrender of American rights and interests, not to be tolerated by the American people."

By a stroke of the pen Hay would have hamstrung the future naval defenses of the Continental Republic, had his treaty been ratified. From this blunder the Senate, with the help of Senator Lodge, saved him (much to his disgust). It refused to ratify his treaty except with radical remedial reservations unacceptable to Great Britain. McKinley persuaded his crestfallen Secretary to stay in office and try to make another and better canal treaty. This he was able to do because Great Britain in her dangerous isolation so much needed the friendship of the United States. It was President Theodore Roosevelt, successor of the murdered McKinley, who was able to proclaim (February 22, 1902) the new and definitive Hay-Pauncefote Treaty, ratified by the Senate.<sup>4</sup> It superseded the Clayton-Bulwer Treaty. The United States gained the right to build, to own, and to operate an Isthmian canal, and, by unexceptionable implication from the negotiations and the studious omissions\* of the treaty, to acquire sovereignty over the site, to fortify the canal, and to defend it against enemies. The way was now open for the passage of a law to make possible the construction, operation, and defense of an Isthmian canal by the United States alone, a work for which Congress, under a diplomatic bridle, had been champing its bit; and for further negotiations, with the appropriate Isthmian sovereign state, to secure the chosen canal site.

### 3

The Hay-Pauncefote Treaty was the token of Great Britain's real decision, in the midst of diplomatic stresses of the Old World, to leave to the United States, in the new frame of world politics, mastery over its own continental life-line. But Great Britain did not immediately diminish her forces in the Caribbean or straightway acknowledge the hegemony of the United States in that area. It was the Venezuelan debt imbroglio of 1902-1903 that gave to the token its real decisive test. This Venezuelan intervention and its aftermath, the decision of the Hague Permanent Court of Arbitration, of February 22, 1904, has a most important relationship to the development of the Latin American policy of the United States in the decades when the Panama Policy was taking shape.

\* Notably, of provisions in the first unacceptable Hay-Pauncefote treaty.

In Venezuela the dictator Cipriano Castro was playing fast and loose with foreign contracts and properties. His courts, packed after the fashion of irresponsible dictators, would not give aliens justice, nor in some instances even hear their cases. Castro's attitude led some of the European powers to consider the use of force to secure justice for their own nationals, as indeed they had a perfect right to do despite the objections of Latin American governments. A resort to force might mean the occupation of Venezuelan ports or territory. However just, the use of arms might result in lodgment, *à l'Égypte*, to a European naval force within easy striking distance of the Isthmian canal site. Such a violation of the Monroe Doctrine would checkmate the United States in its newly won strategical position. One would suppose that it would have seemed scarcely admissible to an ardent expansionist of 1898 like President Theodore Roosevelt, but at first Roosevelt proved strangely complacent.

Apparent security behind the Monroe Doctrine seems to have braced Castro in his contumacy. Both Theodore Roosevelt and John Hay gave Great Britain and Germany and Italy quite clearly to understand that the Monroe Doctrine would not protect an American state in "misbehavior" or "misconduct" against a European power, providing the ensuing chastisement did not take the shape of occupation or, at any rate, of "permanent" occupation of American territory. Thus assured, the German Government prepared for an intervention in Venezuela, and accepted an unsolicited British proposal for joint action. The two powers got ready a naval expedition for December, 1902, to March, 1903, to support their ultimata to Castro. When he refused to accept their demands for payment they withdrew their legations from Caracas, seized four Venezuelan gunboats, and sank three of them. Great Britain ordered a blockade of the five principal Venezuelan ports and the mouth of the Orinoco River, in which Italy presently joined with two cruisers; and British and German forces bombarded two forts at Puerto Cabello as "retaliation" for the seizure of a British steamer and alleged insults to the British flag. Castro now quickly transmitted, through the United States, a request for arbitration.

The State Department handed on the Venezuelan request, at first without comment, but presently "with strong commendation." The intervening powers forthwith accepted arbitration, in principle, provided that certain preferred claims, small in amount (arising from particularly flagrant torts), be paid without question,<sup>5</sup> and they kept up the blockade until this last matter was settled. President Roosevelt urged the British

and German Ambassadors to have the whole dispute settled promptly, because public opinion was heating up fast in the United States. After some haggling Castro came to terms. It was agreed that the remaining claims of all foreign nationals (the United States, Belgium, France, Germany, Great Britain, Italy, the Netherlands, Spain, Sweden, and Norway) should be arbitrated by a series of mixed claims commissions, and that Venezuela should set aside 30 per cent of the customs revenues of the two principal ports of La Guaira and Puerto Cabello for payment of the claims of all foreign nations when adjudicated. The question then arose whether the use of force should entitle the three intervening powers to a prior claim on these specified assets over the peaceful powers. By a special protocol Venezuela and the several creditor powers agreed to submit this question of priority to the judgment of the Hague Permanent Court of Arbitration.

It was during the controversy that Dr. Luis M. Drago, Foreign Minister of the Argentine Republic, submitted to the United States his celebrated dictum: "that the public debt<sup>6</sup> cannot occasion armed intervention nor even the actual occupation of the territory of American nations." President Roosevelt had just declared suggestively in his recent message of December 3, 1901, to Congress: "We do not guarantee any state against punishment if it misconducts itself, provided that punishment does not take the form of the acquisition of territory by any non-American power." This did not invoke complete immunity from intervention as did the Drago Doctrine: Theodore Roosevelt believed that if an American power misbehaved toward a European power the European power might "spank" it.<sup>7</sup> Secretary Hay noncommittally but not unsympathetically referred Dr. Drago to President Roosevelt's message; but at the next Hague Conference (1907) the United States supported this proposition, subject to the first requirement of arbitration, and got it adopted as an international convention.

Historians of American diplomacy have searched the archives of the United States and Germany to find out just what impelled Germany and Great Britain to stop short of an occupation and to arbitrate. A great deal of published research boils down to this: American public opinion, rather than the United States Government, flared up against this intervention; British public opinion became so alarmed at a possible Anglo-American break that it threatened to overturn the Government in London if it did not settle the case without a rupture with the United States; the German Government feared that a new British Liberal Government would be more difficult than the existing Con-

servative Government, and wished to avoid any damage, to Britain's profit, in its relations with the United States. If a new British Ministry had come in and independently backed out of the Venezuelan imbroglio, Germany would have been left alone to deal with the United States navy, concentrated conspicuously if not too confidently in the Caribbean under the command of Admiral Dewey. So Germany also agreed to desist and arbitrate. Italy perforce followed suit.

The Germans had been feeling out by this venture the sensitiveness of the United States as to the Monroe Doctrine. The German Ambassador had correctly represented to his superiors the attitude of the Government in Washington but he had misread egregiously American public opinion and its power over a young and ambitious President. The British Government, whatever its motives, chaperon to Germany or resolute seeker for justice for its nationals, had bungled the affair almost as badly as it could. If the outcome was not altogether the triumph for American diplomacy for which Roosevelt in later times took inordinate personal credit,<sup>8</sup> it did have a soothing influence on Anglo-American affairs, and an opposite effect on German-American relations; and it had, through the final decision of the Hague Tribunal on the question of preferences, a significant reaction on the Latin American policy of the United States in the hands of the first Roosevelt. Before we come to this we must turn back now to the question of the Isthmian canal, for which the Hay-Pauncefote Treaty had cleared the road diplomatically.

## 4

With the Clayton-Bulwer estoppel out of the way Congress promptly passed the Spooner Act (June 25, 1902), which called for the construction of the canal through the Nicaragua route *unless* the French New Panama Canal Company were willing to sell its works in Panama so as to undercut the total Nicaragua cost; and calling on the President to make the necessary treaty with the appropriate Isthmian republic, either Colombia or Nicaragua, as contingency might require. This piece of legislation represents one of the most extraordinarily successful achievements of lobbying by a special interest in the history of that Congress which the people elect to sit at Washington to define and guard the interests of the whole nation. Originally and up to the passage of this act through the House of Representatives, the best technical opinion had advised the Nicaraguan route as shorter (between the two sea-coasts of the United States), cheaper, and better (requiring less lock construction).

If this route had been selected, the French company would have salvaged nothing from its partly dug ditch and rusting ruins at Panama, into which thrifty French bourgeois had poured so many hundred millions of francs of their hard-earned savings. Speculators had bought up many of the shares of this bankrupt concern, which represented one of the great scandals in French financial history. Mr. Philippe Bunau-Varilla, of Paris, former chief engineer of the original company, held, according to his own statement, one hundred and fifteen thousand dollars' worth (he never said by what valuation) of this stock in the New Panama Company. After the reorganization he had endeavored in vain to sell the company's concession and abandoned works, first to the Russian, then to the British Government. To the Russians he had argued this would be a great *coup* against the Anglo-Saxon world. We do not know what he said to the British to get them to buy; but we do know that Joseph Chamberlain in early 1896—when England was capitulating to President Cleveland on the Monroe Doctrine—told Bunau-Varilla that his government could not take up the matter until the Transvaal question was settled.<sup>9</sup> After the Spanish American War Bunau-Varilla sensed the way the diplomatic wind was blowing. He crossed the ocean and worked most assiduously to get the United States to build the canal in Panama, instead of Nicaragua. By prodigies of personal lobbying he prevented the Senate from committing itself to Nicaragua, and finally swung the great Republic over to Panama, after his company had dropped its price from \$109,141,500 to \$40,000,000.

President Theodore Roosevelt, influenced by what honest considerations we cannot tell, had meanwhile induced the Isthmian Canal Commission, of engineers and specialists, to sanction the sudden change of sites from Nicaragua to Panama, almost as if by sleight of hand. Then a lawyer for the French company, one William Nelson Cromwell of New York, helped John Hay draft a treaty with Colombia (the so-called Hay-Hierrán Treaty) enabling the United States to step in and take full charge of the construction and control of the projected canal. It stipulated, in twenty-eight detailed articles: (1) complete authorization for the New Panama Company to transfer its rights and concessions to the United States (the lawyer Cromwell saw to this), (2) right of the United States to construct, fortify and control the canal, and a 10-kilometer zone without affecting the sovereignty of Colombia, (3) Colombia to receive \$10,000,000 gold upon exchange of ratifications of the treaty, and an annuity of \$250,000.



Article XXVIII said: "This convention when signed by the contracting parties, shall be ratified according to the laws of the respective countries and shall be exchanged at Washington within a term of eight months from this date, or earlier if possible." Such an article could not be construed to oblige ratification any more than an article similar in nature in the first, unratified, Hay-Pauncefote treaty, could have obliged its ratification by the United States. Each party was free to ratify, or not to ratify, as its constitutional authority saw fit. The United States, eager to begin the canal, ratified promptly. Colombia, unwilling to let the New Panama Canal Company sell its property without paying a big fee to the state, anxious to get much more money for the canal servitude, and palsied from recent revolutionary turbulence, rejected ratification. As a sovereign state this was her privilege.

Colombia's rejection of the signed treaty irritated the impatient President Roosevelt, who so recently (when Governor of New York) had opposed ratification of the first Hay-Pauncefote treaty. It alarmed the resourceful Frenchman, Bunau-Varilla, who hastened on a voyage to urge Roosevelt to go ahead, regardless of Colombia, in what he denominated an act of international eminent domain, and dig the canal anyway "in the interests of collective civilization"—and to buy the French company's property. Professor John Bassett Moore, former assistant secretary and legal adviser in the Department of State, had similar thoughts. He showed the President and Secretary of State how they could seize hold of legal subtleties to get around the obligation of the treaty of 1846 guaranteeing Colombian sovereignty: "Once on the ground and duly installed, this Government would find no difficulty in meeting questions as they arose."<sup>10</sup>

Bunau-Varilla skillfully instigated and financed and carried through a revolution of the Colombian State of Panama, hoping, without any guaranties, that Roosevelt would not allow the outraged parent republic to land troops and stop the secession. He guessed right. The President did not allow it. In later years Roosevelt boasted: "I took the Isthmus." Such must be the verdict of history. Despite the treaty of 1846 by which the United States had guaranteed "positively and efficaciously" the sovereignty of New Granada (Colombia), President Roosevelt took the Canal Zone. The United States ratified a canal treaty with the secessionist state giving it the rights sought in vain from Colombia, and more: the United States could act in the 10-mile Panama Canal Zone "as if it were sovereign." It was Bunau-Varilla who signed the treaty as plenipotentiary of Panama! It was the people of the United States

who re-elected Roosevelt in 1904. It was the sovereign states of the world, including the Latin American republics (except Colombia) who promptly recognized the independence of the new state of Panama, thus receiving her into the international community.

This intervention of 1903 is the one really black mark in the Latin American policy of the United States, and a great big black mark, too. It has been rubbed off, after much grief, by the reparations treaty of 1921; but as long as ex-President Roosevelt lived, no succeeding President could get through the Senate a treaty of reparation (\$25,000,000) and regret. The great Rough Rider unjustly labeled any such settlement "blackmail." We may now hope that all the rancor of a generation of Yankeeophobia that followed Roosevelt's rash and lawless act has been buried in the grave of the impulsive statesman who perpetrated it. This hope is not weakened by the fact that the Panama Canal has become a bulwark of defense for the whole New World.

Historical investigators<sup>11</sup> have searched the sources thoroughly, as much as they can get into them, of this chapter of special privilege and unjustifiable intervention. The big mystery left is who got the \$40,000,000 that went to the New Panama Canal Company.

## 5

The day before the Senate of the United States advised the ratification of the Hay-Bunau-Varilla Treaty with the new republic of Panama, a most significant juridical verdict was announced on the other side of the Atlantic. The Hague Court of Permanent Arbitration on February 22, 1904, rendered its decision on the issue of preferential rights of the intervening powers to the designated Venezuelan assets for satisfaction of the adjudicated claims of foreign nationals. Unequivocally it decided that Germany, Great Britain, and Italy, the powers which had resorted to force to secure justice, had a right to payment ahead of the powers who had been content with a peaceful solution.

There is no question but that this decision placed a premium, in international law, upon forceful intervention against a delinquent state. In so doing, it put to American diplomacy a very serious dilemma. Within the strategic radius of the Panama Canal there were other Latin American republics, in the Caribbean and in Central America, whose irresponsibility toward their just obligations to foreigners was almost as confirmed as in Venezuela, and whose political stability was continually uncertain. Either the United States must recognize this sanctioned right

of European intervention—now juridically sanctioned—and the contingent possibilities of foreign danger to the Monroe Doctrine in the neighborhood of the Panama Canal or it must itself vicariously assume responsibility for justice to the foreign nationals so that their governments would not have to intervene. The assumption of such responsibility entailed intervention by the United States itself. This was the dilemma, then: should the United States stand by with folded arms while non-American powers, backed in principle by a Hague Court decision, intervened and perhaps ensconced themselves in strategic positions from which in the future they might cut the Panama life-line and the security of the Continental Republic; or should it intervene itself to guarantee justice and responsibility in strategically located countries whose condition invited foreign intervention, and thereby run the risk of incurring by its own intervention the misunderstanding and animosity of the neighboring republics?

These questions were not new. Before the Civil War, Senator Sam Houston of Texas had advocated a protectorate over Mexico which would include a service on her foreign bonds. He urged it as a means of extricating Mexico from the British lion's mouth, and thought that Great Britain might even welcome it. John Forsyth, United States Minister to Mexico, had negotiated a treaty in 1857, by which the United States would have loaned money to Mexico to pay off British bondholders, the loan to be secured by a portion of that republic's customs revenues. Secretary of State Seward, in an effort to stave off European intervention, had negotiated a loan with the Juarez Government to enable it to pay the interest—at only 3 per cent—on its foreign debt for five years at least, but he never ventured to submit it to the Senate. The French intervention in Mexico was an historic example of how such European loans could lead to political and military intervention, to loss of independence itself. Secretary Hamilton Fish in 1869 favored collection of Venezuelan customs by United States officials in order to service that nation's defaulted foreign bonds—with a priority in payment to United States nationals. Except for this last condition, Fish's proposal anticipated the "dollar diplomacy" of the twentieth century. Again in 1881 Secretary of State James G. Blaine had suggested that the United States might place an agent in charge of the pledged customs of Venezuela to pay off foreign creditors pro rata in a secure and orderly way.

On all these occasions<sup>12</sup> since the Civil War, British creditors, at least, expressed themselves favorable to such a collection by the

United States. After the Venezuelan boundary controversy the British Government frequently hinted that if the United States expected to assume authority in the Caribbean region, it ought also to assume responsibility for the foreign debts of those states. Before the intervention in Venezuela in 1902 the German *chargé* in Caracas had asked the United States Minister there whether his Government would participate in a joint intervention. The latter, Herbert W. Bowen, said no: his Government could scarcely join in any forceful measures with European powers against an American republic; if any policing were to take place it ought to be by the United States alone, who could take care competently of the concerns of the European powers.<sup>13</sup> As the Venezuela crisis of December, 1902, eased off, by the agreement in principle to arbitrate, the British Prime Minister, A. J. Balfour, had intimated that his government would be glad to see the United States take the troublesome republics of South America in hand; it had no objection to the Monroe Doctrine—on the contrary.<sup>14</sup> “If the United States could see their way,” declared a government spokesman in the debates on the Venezuelan affair in the House of Commons, “to the adoption of some effective course by which these almost periodical difficulties arising between the great powers and some of the states of South America could be prevented, I think I may say it would meet with cordial concurrence in this country.”<sup>15</sup> The London press chimed in with the same note. It was a welcome contrast to Great Britain’s attitude at the beginning of the American Civil War. Then on the occasion of threatened Spanish invasion of the Dominican Republic, the British Ambassador at Washington had told Secretary Seward that he could not “allow” him to assert the Monroe Doctrine without reminding him that Great Britain repudiated it altogether!

Thus there was adequate reason to believe that Great Britain would welcome intervention by the United States alone, to clean up the bad finances of these shaky republics in case of another lapse of justice, and that Germany would not object to it. It proved that France and Belgium, too, were ready to acquiesce in such a procedure. To the United States such a course was preferable to participation in a joint receivership as proposed at various times by representatives of the European powers,<sup>16</sup> which would have meant an “ottomanization” of the strategic Caribbean area. The events of the previous five years, together with the European situation, had induced—we will not say reconciled, unless in the case of Great Britain—the powers tacitly to accept the hegemony of the United States in that region.

The decision of the Hague Tribunal had hardly been announced when the Venezuela claims situation with all its implications for the Monroe Doctrine, implications so sharpened by that decision, repeated itself in the Dominican Republic. Anarchy, confusion and disaster had there become the order of the day. In April, 1904, the United States Minister in Santo Domingo reported—what was subsequently denied to the American Ambassador at Rome by the Italian Minister of Foreign Affairs—that Italy was about to intervene with naval forces to secure the rights of Italian nationals, fixed by a protocol of 1903. "I understand," he said, "that the action of the Italian Government is based upon the recent decision at the Hague."<sup>17</sup>

The total Dominican debt in default was \$32,000,000. Various national revenues had been hypothecated to Belgian, French, German, Italian, and Spanish creditors. Amidst alternating dictatorships and revolutions, the Santo Domingo Improvement Company, a New York corporation, had refunded some of the older defaulted foreign loans and floated new ones for public construction work. The United States Government was unwilling to intervene diplomatically to support this American corporation or importunate individual citizens until it became evident that it was more than a question of securing justice for the financial contracts of a national: it was a matter of defending by diplomatic arrangements the independent status of the island republic against *justifiable* forceful interventions *à la* Venezuela, justifiable interventions that might grow into more or less permanent occupations for other purposes, as in Egypt; that would menace the safety of the canal, the security of the two-ocean republic.

During the Venezuelan imbroglio the Department of State in 1903 peaceably arranged a diplomatic settlement by which the Santo Domingo Improvement Company ceded to the Dominican Government its holdings in the National Bank and the Central Dominican Railway, and accepted \$4,500,000 in acquittal of a total credit claimed of \$11,000,000. By this agreement a mixed commission of arbitration laid down (July 14, 1904) a schedule of payments, secured by stipulated customs revenues, to be made to an agent appointed by the United States Government and paid over to the creditor. At the first default the agent should have full power and authority to step in and to fix and collect customs and port dues of Puerto Plata, Sánchez, Samaná, and Montecristi, and apply them, after expenses of collection, to the scheduled liquidation of the debt.<sup>18</sup>

Straightway the Dominican Government defaulted, and the agent

took over collection (October, November, 1904). To this the other foreign creditors, with their colliding special hypothecations, quite naturally objected. They clamored for the support of their governments. President Roosevelt had to look forward to a foreign intervention or take the responsibility for intervention by the United States. He had little choice other than to intervene to secure justice for all the foreign creditors. Public opinion, as evidenced by the recent Venezuelan imbroglio, would not have tolerated an European intervention, nor would it have accepted participation by the United States in a joint intervention in an island that dominated so strategically the Caribbean Sea and the Atlantic approaches to the Panama Canal.

The Hague Court decision of February 22, 1904, significant as it was, was not necessary to convince President Roosevelt of the need of intervention by the United States.<sup>19</sup> "San Domingo is drifting into chaos," he wrote to his eldest son, at the outbreak of the Russo-Japanese war, "for after a hundred years of freedom it shows itself utterly incompetent for governmental work. Most reluctantly I have been obliged to take the initial step of interference there. I hope it will be a good while before I will have to go further. But sooner or later it seems to me inevitable that the United States should assume an attitude of protection and regulation in regard to all these little states in the neighborhood of the Caribbean. I hope it will be deferred as long as possible but I think it is inevitable."<sup>20</sup>

The first step in dealing with this dangerous Dominican dilemma had been to send Admiral Dewey and Assistant Secretary of State F. B. Loomis to investigate conditions in the Dominican Republic. Loomis's confidential report of March, 1904, stressed the chaotic situation there and the cross-claims of the foreign governments, and suggested an American receivership.<sup>21</sup> Despite repeated importunities of successive Dominican Governments, and none more insistent than that which was temporarily and precariously in power in 1904, Theodore Roosevelt had no idea of annexing the island republic, or its neighbor Haiti, or even of establishing a naval base there. None was necessary between the United States naval base at Guantánamo, on the eastern tip of Cuba, and the United States island of Puerto Rico to the east of Hispaniola. The President went out of his way to repudiate in the most explicit manner, by personal statements,<sup>22</sup> and by a note from the Secretary of State to the Haitian Minister in Washington,<sup>23</sup> any thought of annexation. What he wanted was to accept, with the implied mandate of the European creditor powers, and at the request of the tottering Dominican

Government, responsibility for the efficient and honest collection of the customs—pledged and cross-pledged as they already were—and a pro rata payment by an United States receivership of the foreign debt within the capacity of the island government. The reason for this, we cannot repeat too emphatically, was to remove any justification for intervention by foreign powers, after the fashion of Venezuela, within this strategic area so vitally related to the new Atlantic-Pacific life-line of the United States.

Diplomacy sealed the arrangement in the form of a protocol with the Dominican Government calling for a receivership in the hands of an agent appointed by the President of the United States, who would collect the customs under the protection of the United States Government if necessary, and pay out 45 per cent of the proceeds to the creditors pro rata, after satisfying the expenses of the receivership, and turn the remaining funds over to the Dominican Government. It does not seem, from the manner in which the negotiations were carried on, that the President had intended any more than an executive agreement; but apparently on mature consideration he decided that it was his duty to submit the document to the Senate for advice and consent as to formal ratification. At first the protocol contained a guaranty of the territorial integrity of the Dominican Republic. Since the Senate might stick at a guaranty, there was substituted in the final treaty a pledge to respect the territorial integrity of the Dominican Republic.<sup>24</sup> Even so, the Senate postponed for two years its acceptance of the arrangement. A partisan minority resented Roosevelt's original intention not to consult it at all.<sup>25</sup> But the strategic significance of the island was too vital to be neglected. In 1907 the Senate approved a new treaty, somewhat modified by dropping the territorial pledge and all references to the danger of foreign intervention, retaining the essential financial provisions.<sup>26</sup> Meanwhile President Roosevelt had been executing its terms under a *modus vivendi* based on executive agreement. Controlling forces of the United States navy hovered in Dominican waters, if only to overawe the presence of Italian, French, and German units, but there was no occupation of the island, no interference (before 1912) with its internal affairs beyond the receivership of customs. An expert appointed by President Roosevelt was able in 1905 to scale down the debt, with the agreement of the creditors, from \$32,000,000 to \$17,000,000, and start a scheduled payment of new 50-year 5 per cent bonds issued, at the request of the Department of State, by New York banks to refund the adjusted debt.<sup>27</sup> The result was a novel prosperity for the republic ac-

companyed by a frustration of revolutionary habits hitherto confirmed.

Theodore Roosevelt confused the Latin American policy of the United States by identifying intervention in the Dominican Republic with the Monroe Doctrine, thus making that Doctrine, which had said "hands off" to Europe, seem to say "hands on" for the United States. Actually, as many a responsible statesman has pointed out since Woodrow Wilson's time, the Monroe Doctrine did not give to, nor did it withhold from the United States a right or policy of intervention. But President Roosevelt honestly and resolutely thought that because the Monroe Doctrine prohibited European intervention to secure justice, it ought to follow as a logical corollary that it sanctioned intervention by the United States in order to prevent it by Europe. In presenting the "protocol" to the Senate (February 15, 1905), he said:

"An aggrieved nation can without interfering with the Monroe Doctrine take what action it sees fit in the adjustment of its disputes with American States, provided that action does not take the shape of interference with their form of government or of the despoilment of their territory under any disguise. But, short of this, when the question is one of a money claim, the only way which remains, finally, to collect it is a blockade, or bombardment, or the seizure of the customhouses, and this means what is in effect a possession, even though only a temporary possession, of territory. The United States then becomes a party in interest, because under the Monroe doctrine it can not see any European power seize and permanently occupy the territory of one of these republics; and yet such seizure of territory, disguised or undisguised, may eventually offer the only way in which the power in question can collect any debts, unless there is interference on the part of the United States."<sup>28</sup>

This was the well-intended but withal portentous "Roosevelt Corollary" to the Monroe Doctrine, the so-called policy of the "Big Stick": benevolent United States intervention to prevent non-American intervention, a bit of necessary diplomacy—at that time—but bad logic, which has required a generation to cast off.

Thoughtful scholars, like Professor Rippey,<sup>29</sup> have wondered why it never occurred to Roosevelt to let all alien investors shift for themselves in the Dominican Republic. As a matter of fact, Roosevelt did announce in 1905 that his Government had always refused resort to the use of force for the collection of contract debts,<sup>30</sup> and Secretary of State Root later repeated this in South America.<sup>31</sup> Indeed, the United States had just ratified the inter-American convention of 1902 for the arbitration of pecuniary claims,<sup>32</sup> and was preparing to support the Drago Doctrine at the coming Hague Peace Conference.

The obvious answer to the question just noted is that the other great



powers would not renounce the right of intervention to secure justice, including contract debts; it had proven impossible in Venezuela a year previously for the United States to leave alien investors to shift for themselves. The European powers had intervened, and the Hague Court had just put an impressive sanction of international law on the justice of their use of force. If Roosevelt had stood aside in 1904, another intervention would almost certainly have followed and the control of the United States over the Panama Canal might have been checkmated at the very start of construction. Certainly the danger of this was sufficiently imminent to cause grave concern. Roosevelt was acting upon the traditional motive of security for the Continental Republic as he, and his compatriots, sensed it at the time. Not until the menace of European intervention had temporarily disappeared as a result of the First World War could a President of the United States safely think of liquidating the protective imperialism that had been established in the vital Caribbean area at the beginning of the century; not until then could there be a reasonable expectation, during the period between the two great wars, that the non-American powers would refrain from intervention in the New World to secure justice denied to their nationals.

This Dominican receivership does not appear to have awakened contemporaneously any appreciable resentment or distrust of other governments, even of the Latin American republics,<sup>33</sup> although the press of France and Germany was caustic. The Latin American literary Yankee-phobia that flamed up later was fanned to life in the intellectual foyers of the very European nations whose governments,<sup>34</sup> under the circumstances of 1904-1907, had been so willing, even anxious, to have the rights of their nationals secured by the United States.<sup>35</sup>

"The powers granted the United States by the Customs Convention of 1907," concluded Mr. Sumner Welles in a history of Santo Domingo which was to be of great significance for the formation of the Latin American policy of the United States as well as a contribution to Dominican history, "did not constitute a greater infringement of the sovereignty of the Dominican Republic than that which had already existed since the time when President Heureaux had alienated the control of Dominican customs from the Dominican Government itself. The negotiation of the Convention was of practical benefit to the Dominican Republic in that it established the credit of the Republic, provided the Dominican Government with a sure source of revenue, and removed the danger of European intervention. It safeguarded the national interests of the United States by abolishing permanently the danger of any

infringement of the Monroe Doctrine through the resort by European powers to intervention in the Dominican Republic under the guise of satisfying the just claims of their nationals. While the negotiation of the Convention, therefore, was in accord with the missionary spirit of the times, it implied no danger in itself to the sovereignty nor the right of self-government of the Dominican people. The helpful spirit manifested by the Roosevelt Administration in its dealings with the Republics of Central America, as evidenced by the Central American Conference held in Washington in 1908 [i.e., 1907] was likewise an outgrowth of the same belief in the nation's mission, but also contained no element of danger to the complete liberty and freedom of these American Republics." <sup>36</sup>

## 6

The Central American Conference to which Mr. Welles had referred was another reflection of Theodore Roosevelt's Latin American policy that sprang from concern at the perennial revolutions and international wars of the Central American states north of Costa Rica. Before the new canal diplomacy took shape at the beginning of the twentieth century the United States could afford to be comparatively indifferent to the chronic turbulence and state irresponsibility in that area of both terrestrial and political earthquakes. Under the old order of sea power there was little likelihood after 1867 that any European power other than England would intervene on the Isthmus, and Great Britain had been pledged by the Clayton-Bulwer Treaty not to set up new colonies or protectorates there or exercise any influence over the canal route to the detriment of joint Anglo-American control. There was also always Canada as a British hostage.

The acquiescence of the European powers to an implied American mandate for the Dominican receivership in 1905 raised the question how far Roosevelt would carry his Corollary in the changing order of sea power. It was just as important strategically to apply it to a Central American state or to Colombia or Venezuela as to a Caribbean island republic. Such an extension of power might expand the responsibilities of the nation more rapidly than the people—with their aversion to dominion over alien folk—would accept. Roosevelt, tempered by the cautious advice of his new Secretary of State, Elihu Root, shrank from advancing his Corollary to logical extremes. For example, when Castro continued to ride roughshod over the juridical rights of foreign nationals (including those of the United States) in Venezuela, the President

showed himself not unwilling, in contrast to his action in the Dominican Republic, to allow France to use force there and take over the customs-houses, provided the French Government would solemnly pledge itself against any "permanent occupation" of Venezuelan territory; but thanks to patience, on the part of France as well as of the United States, Castro fell from power before his arbitrary actions brought further chastisement to his country.<sup>37</sup>

Rather than intervening in Central America as in the Dominican Republic, Root persuaded Roosevelt first to try to get those turbulent republics to reunite in one strong block that would do away with their chronic wars and revolutions. The President acted on Root's suggestion<sup>38</sup> to invite the cooperation of another American republic, Mexico, in offering joint good offices to the warring Central American states. This was the first step of a practice of inter-American cooperative therapeutics that Woodrow Wilson afterward expanded to include, first the ABC republics of South America, and later six Latin American states, in his disputes with Mexico; and which Franklin D. Roosevelt extended to the hemispheric peace machinery of the Good Neighbor Policy.

Following out Root's policy, Presidents Theodore Roosevelt and Porfirio Díaz in 1906 jointly offered their good offices in a current war between Guatemala, El Salvador, and Honduras. This resulted first in an armistice (the *Marblehead* truce, 1906); next a peace conference at San José, Costa Rica, in which all the Central American states except Nicaragua took part; finally an international Central American conference at Washington in 1907,\* under the tutelage of the United States and Mexico, whose representatives were present "to lend their good and impartial offices in a purely friendly way toward the realization of the objects of the conference," namely: permanent peace, obligatory arbitration of present and future differences, and promotion of Central American international solidarity. For the success of their good offices in stopping war in Central America the two Presidents received the plaudits of the third Pan American Conference meeting at Rio in 1906, in a formal resolution.

The eight peace conventions signed at Washington in 1907 by the Central American republics under the good offices of the United States and Mexico set up a Central American Court of International Justice for the compulsory settlement of all international disputes; neutralized

\* Between the San José truce of 1906 and the Washington conference of 1907 another war had broken out between Honduras and Nicaragua that threatened to infect Honduras and El Salvador.

the state of Honduras, so that neighbors north and south could not make war against each other; registered agreements not to shelter revolutionary movements against each other (a common cause of war); and agreed not to recognize new governments set up by revolution until they had become hallowed by the people through free election.<sup>39</sup> This was the Tobar Doctrine<sup>40</sup> which South American diplomatists later came to condemn as "indirect intervention." Although the United States and Mexico did not sign these treaties, they found themselves morally committed, by their good offices, to the principles thus sanctioned in Central American international politics, particularly not to harbor revolutionists and not to recognize governments created by revolutions.<sup>41</sup> These treaties were more than the Central American republics could live up to: they proved more than Mexico (in the matter of harboring revolutionary movements) and even the United States (in the determination not to recognize a revolutionary government) could practice.

General Zelaya, dictator-President of Nicaragua, soon upset the Central American apple-cart that Theodore Roosevelt and Porfirio Díaz had constructed and started trundling on its way toward regional peace and solidarity. By this time Roosevelt's Latin American policy—the famous Corollary to the Monroe Doctrine, and the resort to joint tutelar sponsorship, with Mexico, of Central American stability and solidarity—had passed into the hands of his successor, President Taft.

Discerning students<sup>42</sup> have blamed Taft and more particularly his Secretary of State, Philander C. Knox, for carrying the Roosevelt Corollary toward a more active and less disinterested intervention, notably in Nicaragua. They have stigmatized this action with the derogatory phrase of "dollar diplomacy," taking their cue from some frank avowals of the President that he considered it a most useful function of government to advance and protect the legitimate trade and investments of United States citizens in foreign countries,<sup>43</sup> particularly in areas of competition like China, where they served to chaperon or neutralize imperialistic designs. In the course of this study we shall have more to say of dollar diplomacy. It was not designed to profit private interests. It was intended rather to support the foreign policy of the United States; in the instance of Latin America to support the Roosevelt Corollary to the Monroe Doctrine. In these interventions in Central America and the Caribbean there was also a certain characteristic missionary impulse to help the people themselves, willy-nilly, by stabilizing their governments and economies.

Zelaya resented the diplomatic intrusion of the United States and Mexico because it interfered with his own ambition to unify all Central America under his mastery by overturning governments in the neighboring states and putting in his puppets. He had consistently opposed the whole movement toward Central American solidarity by diplomatic and by constitutional processes. In his resentment he had also been very hostile to American private capital legally invested in Nicaragua. For example, he wished to cancel the United States-Nicaragua Concession, a mining property owned by a Pittsburgh corporation which represented the principal American private capital in the Isthmian republic. He wanted to take back this concession and sell it over again to somebody else for better terms. As a Pennsylvania lawyer and counsel to the corporation, Philander C. Knox, before he became Secretary of State, had himself passed upon the validity of the contract. It became clear that the Nicaraguan dictator was the greatest single menace to the whole treaty structure, as well as to American private contracts; that the Washington conventions would have little effect in stabilizing and uniting the five republics as long as Zelaya remained President of Nicaragua.<sup>44</sup> There is no evidence to show that President Taft and Secretary Knox were more charitable toward the ambitious Isthmian general because of the latter's high-handed violation of these concessions,<sup>45</sup> like Castro in Venezuela; on the contrary! Nor did reports of Zelaya's plans to make secret advances to Japan for a canal treaty ingratiate the dictator with the United States Government.<sup>46</sup>

United States intervention in Nicaragua followed a revolution which broke out in 1909 against Zelaya in Bluefields and had at least the sympathy of the company which operated the United States-Nicaragua Concession. Zelaya's forces captured two United States citizens, named Cannon and Groce, professional dynamiters, who were laying mines in the San Juan River for the revolutionists, and executed them after court martial. They held commissions in the revolutionary army and considered themselves prisoners of war.<sup>47</sup> President Taft made this the occasion for dismissing Zelaya's representative at Washington and landing marines to protect foreign nationals and property at Bluefields. Secretary Knox declared that the United States was convinced "that the revolution represented the ideals and will of a majority of the Nicaraguan people more truthfully than does the government of President Zelaya." As a result of this intervention Zelaya was overthrown. President Porfirio Díaz of Mexico, who had cooperated throughout

with the United States to bring stability to Central America, advised Zelaya to quit. Soon a revolution in Mexico dethroned Díaz himself and left the United States as the sole sponsor of the precarious regional peace structure.

After a confusing interlude of shifting personnel in the revolutionary Nicaraguan government, Adolfo Díaz, who had been secretary of the United States-Nicaragua Concession emerged in 1911 with the assistance of American diplomacy as "constitutional" President, recognized by the United States. Secretary Knox negotiated with the new Government a treaty (the Knox-Castrillo convention), signed June 6, 1911, generally similar<sup>48</sup> to the treaty of 1907 with the Dominican Republic, and identical to one that had just been signed with Honduras (January 10, 1911), for the purpose of refunding the debt of Nicaragua through new loans from New York bankers (Brown Brothers, J. and W. Seligman & Co.). This would have taken the old debt entirely out of the hands of an English syndicate, and put the new loan in a schedule of payment under an American receivership like that in the Dominican Republic. A separate executive agreement provided for a mixed commission to arbitrate the claims of American citizens against Nicaragua.<sup>49</sup>

The Senate of the United States rejected both of these treaties, but the bankers, at the request of the Department of State and with its assistance, put through private contracts with Nicaragua which set up much the same sort of regime without treaty guaranties. On this basis they made a much smaller loan, \$1,500,000 instead of \$15,000,000, upon condition of securing control of the contemporaneously established National Bank of Nicaragua and the Nicaraguan state railways. Knox may have felt that he had the precedent behind him of Theodore Roosevelt's *modus vivendi* with the Dominican Republic after the Senate had first rejected the "protocol" of 1905; but unlike the Dominican example, the Senate never ratified the Knox treaties.\*

A new revolution against Adolfo Díaz's regime threatened to drift into the control of Zelaya's followers. If they should have gained control of the government, "all of the efforts of the State Department [says an historian of Central America] to place Nicaragua on her feet politically and financially would have been useless, and the interests of the New York bankers, who had undertaken their operations in the country at the express request of the United States Government, would be seriously imperiled."<sup>50</sup> Accordingly, at the request of the Díaz Gov-

\* The Nicaraguan Government ratified its treaty. The Honduran Government acted contrariwise.

ernment the United States landed some 2,700 marines in 1912 and occupied the principal cities of the interior after a sharp engagement at Leon. From 1912 to 1933 (except for a brief interval following a trial withdrawal in 1925) a small force of United States marines maintained the Government of Nicaragua in office, supervised and policed elections, and trained up a Nicaraguan constabulary.

Thus fortified the government kept up payments on the old loans by the London bankers and the new loans of the New York bankers.<sup>51</sup> Meanwhile, continued political agitation, crime, periodic revolts, disease, grasshopper plagues, and earthquakes worried, robbed, harassed, ravaged, devoured, and shook the already impoverished country and its people. The intervention of the United States was barely adequate to maintain elected governments in power and thus keep the pledged finances in order; it was not enough to regenerate Nicaragua as an effective protectorate had done in Cuba. Light as the intervention was, it was sufficient to arouse the animosity of other Latin American countries to whom Nicaraguan dissidents made their appeal. A full protectorate would not have been more hateful, and could have benefited the people much more.

After the failure of his financial treaties, Secretary Knox, alarmed at rumors of German interest in the Nicaraguan waterway, signed another treaty agreeing to pay Nicaragua \$3,000,000 for an exclusive right of way for a canal, a naval base on the Gulf of Fonseca, and a ninety-nine-year lease of Great Corn and Little Corn Islands in the Caribbean near the Atlantic terminus of the route. This treaty was submitted to the Senate too late to get ratification before the end of the Taft Administration, but President Wilson took up the idea, with some modifications, and put it through, as we shall see in a later chapter.

It was one thing to build up, by cooperative measures short of actual military intervention, a structure of preventive diplomacy, designed to remove any justification for intervention by a non-American power in the Caribbean region. So Roosevelt and Root had done in Cuba and the Dominican Republic, in the latter instance with the implied mandate of the European powers, and this Roosevelt had rested on his famous Corollary. It was another step that Taft had taken under Knox's legal guidance: outright military intervention to safeguard the strategic interest of the United States in the Isthmian region. This smacked more of Roosevelt's intervention in Panama than it did of his diplomatic intervention in the Dominican Republic carried through under Root's guidance. By the same token, and other appearances (that

of serving private interests), it created greater resentment both in Latin America and at home than did the Dominican receivership.

Intervention in Nicaragua and the occupation of that republic were certainly high-handed, uncalled for by any immediate exigency of foreign policy or national security, and actually contrary to the principles of the Washington conventions of 1907. Its effect, after the Senate rejected the Knox treaties of 1911, was to place the finances of that Isthmian country in the hands of private bankers for the next eight years. Their strict measures, alleviated by the Bryan-Chamorro Treaty ratified in 1916, and terminated by the Financial Plan of 1917,<sup>52</sup> achieved the fiscal redemption of the country, but it is doubtful whether the local governments thus supported by United States marines furthered the concept of Central American confederation and union.

Knox would have imposed financial receiverships on Honduras and Guatemala too, if the Senate would have stood for it.<sup>53</sup>

The Taft Administration took great pains to justify the Nicaraguan intervention constitutionally before Congress. Mr. J. Reuben Clark, Jr., Solicitor of the Department of State, compiled a long memorandum on *The Right to Protect Citizens in Foreign Countries by Landing Forces*, as established in international law and by United States precedent.<sup>54</sup> Even after these arguments, the candid historian may be critical of the whole episode, but it certainly would be most unjust to attribute even the occupation of Nicaragua—cited so profusely as the standard illustration of the evils of dollar diplomacy—to the controlling power of private vested interests over the United States Government. Back of that intervention was an honest intent, at least, to stabilize and strengthen the international relations of Central America by substituting for Zelaya's focus of revolution and wars a truly representative and independent government and to further a union of all the Central American states on the foundation of the Washington conventions. The United States was interested in promoting this regional peace structure principally in order to remove any conceivable danger, even a remote one, of ultimate foreign intervention that might give military lodgment in the neighborhood of the Panama Canal, then advancing toward completion, or any possibility of a rival canal route falling under non-American influence.

Unfriendly foreign critics quickly used the phrase "dollar diplomacy" to suggest a deliberate design by the United States to dominate the nearest Latin American republics, even the whole Western Hemisphere, for the private profit of "Wall Street." While not losing sight for one



moment of the mistakes of foreign policy in the hands of the blundering Knox and Taft—and it is fortunate that the United States did not have to confront under their leadership any major crisis of diplomacy during the years 1909-1913—it is only fair to say that dollar diplomacy was more an easily misusable journalistic alliteration, alliterative unfortunately in all the principal languages of the New World and western Europe, that easily lent itself to hateful propaganda and exaggerated Yankeeophobia, than it was a truthful characterization of the protective foreign policy of the United States.

In their own uniquely inept way Taft and Knox were also following the instinct and traditions of continental security rather than the lead of selfish private interests. Nicaragua, like the Dominican Republic, like Panama, like Haiti (where Woodrow Wilson was soon to send marines as well as to Santo Domingo), was one of the states of the New World, indeed of the entire world, where the least American capital was invested. It is a well-known fact that before the First World War indigenous capital found more lucrative employment in the United States than outside of its boundaries, that it was only with difficulty that the Department of State was able to persuade bankers to invest their funds for political purposes in foreign countries. The larger holdings of capital invested abroad in the New World were in Cuba, where "big business" had opposed intervention in 1898; in Mexico, where the United States Government and public opinion have certainly been averse to intervention for nearly a century; in Canada, and in the larger and more stable republics of South America.

It seems to be an historical fact that the more capital a country of the New World has accepted from private investors in the United States the less danger there has been of intervention. Such investments have brought a wealth of good to Latin American countries, but in the large it is doubtful whether they have been profitable to the economy of the United States, not to mention the investors. This is because they have not been wholly safe. They represented an overflow of luxury that the United States, unlike the great powers of the Old World, had not been willing, with its deep continental instincts of nonintervention, to guarantee and to secure by the use of force. But American diplomacy has always been sensitive to the strategical requirements of continental security. This, and not selfish private interests, really explains both the Roosevelt Corollary and the dollar diplomacy of Taft. It also explains in large measure the Latin American policy of Woodrow Wilson.

## ADOLPH A. BERLE, JR., ON CARIBBEAN INTERVENTIONS

"Many of our own major mistakes, indeed, in this hemisphere have been due more to the fear of European domination than to any desire to increase the area of our territory. Conspicuous among these were the interventions beginning at the time of the Panama Canal incident, the Nicaraguan occupation, and the occupations of Haiti and Santo Domingo. It has been customary, particularly among students who hold the Marxist view of history, to ascribe these to desire to protect American capital, which thus became the forerunner of imperialism. Yet as the history becomes increasingly clear, and as the documents are more completely available, the Marxian student finds that the facts do not bear him out. In many cases the intervention of American capital in Central America and in the West Indian republics was undertaken not at the instance of American capitalists seeking outlet for their funds. It was undertaken at the direct instance of the American Government; and the motive appears to have been the fear lest European capital, affected with European politics, might find foothold on this side of the Atlantic. An example may be found in the occupations of Haiti and Santo Domingo. In each case American banks had purchased the control of the banks previously serving those island countries; but the documents today make it clear that the American financiers did so rather unwillingly, at the direct urging of the Department of State; and that the Department of State urged the American financial moves as a means of eliminating European financial moves. It may also be noted that alone among the great powers of the world, having accomplished that objective, public sentiment in the United States swiftly mobilized against the continuance of the occupations, they were withdrawn freely and without reserve, largely in consequence, first, of the continuous urging of the present Under Secretary, Mr. Sumner Welles, then a staff member of the Department of State, and finally, as a part of the broad policy laid out and executed by Secretary Hull. The final result has been the firmer establishment of independent nations who owe their safety not to their military force but to the strength of the pan-American idea." From Address of Assistant Secretary of State Adolph Berle, Jr., on "The Policy of the United States in Latin America," delivered at the Academy of Political Science, New York City, May 3, 1939. Department of State, *Press Releases*, XX, No. 501, Publication 1328, p. 378.

## CHAPTER X

### *Woodrow Wilson and Mexico* (1913-1917)

AS a student and teacher of history and political science Woodrow Wilson had been interested chiefly in constitutional origins and the development of representative self-government in Anglo-Saxon practice and German theory. Like most of his predecessors in office since the Era of Emancipation, he had never paid much attention, before he became President, to the peoples, politics, languages and cultures of Latin America. Historians already have worked through his voluminous printed writings and personal papers without discovering significant allusion to those other republics of the New World where constitutional government was on trial under conditions of climate, economy, race, and tradition so alien to those of northwestern Europe, the British Isles, and North America. He did express rather casually in some earlier essays (1889-1901) the unstudied view that the peoples of Latin America did not seem to have developed the character and experience necessary for democratic self-government.<sup>1</sup> And in his very general and popular *History of the American People*, published in 1902, he incidentally branded the war with Mexico of 1846-1848 as an "inexcusable aggression" and conquest on the part of Polk. This was then the prevailing view, which more recent historiography has greatly modified.

The basis of Wilson's world was the Bible, Burke, and Bagehot. His thought and even his politics and diplomacy were rooted deep in morality. But what is morality, O philosophers and seers? To Wilson the supreme expression of morality was the Christian religion. But, O teachers and preachers, precisely what is the Christian religion? To Wilson it was revealed in the Presbyterian creed, the covenanting faith of his Scotch-Irish forbears. He was son of a Southern Presby-

terian pastor of stalwart intellectual fiber. This President kept his Bible and his watch by his bedside and every day he read the Book. To such a man the political reflection of morality was popular sovereignty and self-government. Of this the democratic form was the supreme expression. Wilson believed that the democratic process had reached its greatest perfection in the United States. As symbolized by the Statue of Liberty in New York harbor, the mission of America—that is to say, the United States of America—was to hold this torch aloft to the world, particularly to the Western World. From such an ideal much felicity would flow to all mankind.

Hardly had he taken his oath of office when relations with Latin America rose to plague the new President and to test his fundamental political concepts. Mexico presented the first problem to challenge the inexperienced idealist who entered the White House in March, 1913.

Relations with Mexico had been generally good ever since the American Civil War when the attitude of the United States and the concentration of troops on the Rio Grande had helped to bring about the withdrawal of French forces and the collapse of Maximilian's empire. During most of the years since 1876 Porfirio Díaz had been the nominally elected President. He was a strong-handed dictator. It was Díaz's policy to make Mexico safer for people to live in, including foreigners who would bring in capital and technical training to develop as quickly as possible her fabulous natural resources and thus advance the standard of living, particularly for the élite, toward European and North American levels. In Mexico most of the land was owned in large holdings, coming down from old prodigal Spanish land grants, and worked by peons; Díaz continued and confirmed this practice, and foreigners bought up farms and ranches. His government granted lavish concessions to capitalists from European countries and the United States to build railroads, to open mines, to establish public works. Under Díaz, Mexico was better off than ever before in history, but the greater part of the population was still in a state of semi-feudalism. The illiterate people, nine-tenths of them pure Indian or mestizo and half of them not speaking Spanish, worked mostly for the foreigners and for the wealthy and cultured creole *hacendados*. They labored for groveling and shamefully low wages, but even so they got more pay from the foreigners than they did from Mexican employers.

By wealth alone Mexico could not reach the cultural development desired by Díaz, whether that wealth were massed in the larger holdings of a comparatively few capitalists or shared by the benighted

populace. Universal education was and still is the key to Mexican progress. It is a slow process especially when fevered by revolution. Porfirio Díaz knew this but he did not get sufficiently well advanced with his educational program before the revolution of 1911 swept him from the heights of Chapultepec into exile in Europe. He had not used his power to acquire huge wealth for himself at Mexico's expense. He died a poor man.

With the exception of Cuba, Mexico was the only Latin American country into which large investments of private capital had poured from the United States in the generation before the First World War. Díaz had welcomed this, and successive Governments in the United States had encouraged it. They quite approved of the dictator. In an exchange of encomia in Mexico City in 1907 Elihu Root had referred to President Díaz as "one of the great men to be held up for the hero worship of mankind."<sup>2</sup> This was laying it on a bit thick. President Taft's more deliberate opinion was that Díaz had done more for the people of Mexico than any other Latin American had done for any of his people.<sup>3</sup> By 1910 the holdings, large and small, of United States citizens in Mexico amounted to approximately one billion dollars. Railroads constituted over half the property. Next came mines and ranches, and small business. Only fifteen millions of pioneer capital had been ventured then in petroleum concessions from which the great geysers of "black gold" were so soon to gush forth. Most of the oil money flowed into Mexico after the great revolution of 1911. The chief concern of the United States Government during those years was to ensure protection for its nationals and their property in Mexico according to domestic and international law, and this was not difficult under Díaz. United States nationals were not the only foreigners with large direct investments there; English, German, French, Spanish, and others, together owned another half a billion dollars.<sup>4</sup> Indeed, foreign holdings totaled a greater value than native property, and of the foreign holdings citizens of the United States owned more than all other foreigners combined. More than 40,000 of them lived and worked in Mexico. Their proprietary character, their dynamic energy, their protestant outlook, disturbed and alarmed some of the disinterested creole aristocracy, despite the excellence of diplomatic relations between the two governments. With grossly exaggerated fears this patriotic élite felt that eventually Mexico might go the way of Texas.

This feeling furnished food to the political opposition to Díaz's dictatorship. Beneath the orderly crust of Mexican stability there was gen-

erating with volcanic pressure the force of a great social revolution to convulse the country once the political cap of Porfirianism blew off. The first eruption came in 1911 in the form of revolt against the arbitrary electoral methods of Díaz. Following a revolution surreptitiously organized in the United States, the pure-hearted but weak Madero came into elected office.

In dealing with this Mexican revolution Wilson's predecessor had shown great patience and much sympathy. Taft's chief desire was to avoid intervention. His experience in the Philippines had convinced him that it would be an unending burden and thankless task, involving the expenditure of hundreds of millions of dollars and thousands of lives, to enforce peace on Mexico. He had hoped against hope that, at least as long as he remained President, old Porfirio Díaz might be able to stay in power and hold down the lid in Mexico.<sup>5</sup> After Madero's election Taft promptly recognized that government. When Madero complained that insurrectionists were obtaining arms and munitions across the border, Taft prevailed on Congress to pass a joint resolution empowering the President to regulate the flow of such materials from the United States to any American country where conditions of domestic violence might exist.<sup>6</sup>

The executive power first had recourse to an embargo on arms and munitions of war, as an implement of foreign policy, during the Dominican crisis of 1905, when it intervened to prevent the shipment of these articles to rebels against the Dominican Government with which the United States entered into the *modus vivendi* of 1905, and the subsequent treaty of 1907. Now in 1912 Congress formally gave the executive such a discretionary power in dealing with American republics. Enacted to cooperate with the new regime in Mexico, this power became most significant in moulding the Latin American policy of the United States, particularly as conceived by Woodrow Wilson. By its use the President could make or unmake revolutions and governments in such American republics as depended upon the United States for military supplies. Taft straightway proclaimed an embargo in effect vis-à-vis Mexico, thus cutting off supplies to Madero's enemies, while allowing the material to be exported to the recognized government.<sup>7</sup>

Despite such aid the new authorities were not able to maintain order or to protect the lives and property of foreigners. Taft and Knox put off the importunities of Henry Lane Wilson, United States Ambassador at Mexico City, to place warships and troops at the latter's disposal to use for intervention if that vigorous diplomat should deem it neces-

sary to protect foreigners; but the President did mobilize 100,000 regular troops and volunteers on the border to guard against contingencies, and he advised American citizens to leave the areas of disturbance.

In the elections of 1912 in the United States the Democratic Party tried to make capital out of the Republican President's patience. Its platform vigorously pledged adequate protection to nationals abroad. Pressed by political exigency before the election the Administration presented the Mexican Government with a quasi-ultimatum (September 17) listing discriminations and outrages, including murders, and demanding better treatment of United States citizens and their property. The Mexican Government responded, not until after the defeat of Taft at the polls, with an able argument, nothing more; but in subsequent interviews in Washington the Mexican Minister of Foreign Affairs, Lascurain, showed an earnest disposition to make every effort to meet the demands of the United States. Secretary Knox gave him to understand that if this were not done Congress would be likely to repeal the law that enabled the President to prohibit the export of munitions to Madero's enemies. During the last weeks of Taft's Administration, Madero fell victim to the treachery of one of his own generals responsible for the security of the capital, Victoriano Huerta, of Porfirian antecedents and sympathies.

After a successful military revolt, Huerta compelled the resignation of President Madero and the Vice President, and held them as prisoners in the National Palace. February 18, 1913, he proclaimed himself provisional President, just like that, in Mexico.<sup>8</sup> The deposed President as well as the Vice President, Suárez, met death (February 23) trying to escape, so it was said, from an armed guard that was transferring them to the penitentiary at two o'clock in the morning. Huerta had sworn on a scapulary of the Virgin of Guadalupe, and also on a medal of the Sacred Heart of Jesus, and again by the memory of his mother who once had worn these sacred images on her breast, that he would permit no one to attempt the life of Señor Madero.<sup>9</sup> A reign of terror ensued as the general tried to establish himself in power to withstand the inevitable revolt against such treacherous and savage deeds of counter-revolution.

Dreadful as were these scenes in the halls of the Montezumas, they had happened before in Latin American history, and the successful revolutionists, as soon as they had gained undeniable authority over their respective countries and were able to fulfill international obligations, had received recognition from foreign powers, including the

United States, without scrutiny of the constitutionality of their origins or the justice of their causes. Such was accepted international practice. Was it now for other governments, however shocked and revolted, to sit in judgment, to insist that regimes must succeed each other in Mexico by peaceful and orderly constitutional process? If so, must each and every revolution in the New World, or the whole world over, await a diplomatic verdict as to its propriety? And where would revolutions find unbiased diplomatic judges? Certainly not in the case of Panama. If revolutions in Mexico and Central America alone were to be held up for diplomatic judgment, while recognized elsewhere, then would not this be diplomatic intervention\* by the United States for the guaranty of constitutional forms in neighboring regions strategically interesting? It is true that the Central American regional peace structure recently set up at Washington by the United States and Mexico in 1907 had set an example for novelty by pledging the signatories not to recognize governments coming into power within the treaty region by revolutionary means, at least not until they had been sanctioned and regularized by a popular election. But even in Central America, the United States and Mexico, moral sponsors although not signatories of those treaties, had recognized the revolution against Zelaya's dictatorship in Nicaragua in 1909 as expressing the will of the people of that Isthmian republic more than Zelaya's government; this in itself had been a diplomatic judgment.

Right here, when he searches for the will of the people outside his own land, the Wilsonian is overwhelmed, or certain ultimately to be overwhelmed, even on the basis of his own principles of self-government, by a tangle of difficulties in applying his policy of judgment on revolutions against other constitutions than his own. In many Latin American countries, not to mention the rest of the world, governments have been republican only in form and letter. Once ensconced in constitutional authority, a government, that is to say a strong man, by control of electoral machinery, the police and the army, can extend his power under color of the constitution. To deny the right of revolution against such a regime would be to frustrate real self-government. Wilson's answer to this, as suggested by his action in the case of Peru,<sup>10</sup> presumably would have been that the revolutionary government might

\* In advocating this doctrine in 1907, Dr. Carlos R. Tobar, after whom it was named, called it "indirect intervention." In later years it has been called "diplomatic intervention." It is now declared inadmissible by the Anti-War Treaty of 1933, and by the Buenos Aires Protocol of 1936. See below, p. 268.



be recognized if sanctioned by the will of the people. But what is the will of the people, O Robespierre, Napoleon I and Napoleon III, O Porfirio Díaz, and Zelaya, O Woodrow Wilson, Kerensky, Lenin, Gerardo Machado, Mussolini, O Adolf Hitler? At best the tasks and responsibilities of sitting in judgment on revolutions, even if judgment could be politically unbiased, extend to infinite gradations, degrees, circumstances, difficulties, diplomacies, and inconsistencies. That is why traditional international practice has avoided the danger of dogma in dealing with this problem. That is why, since Wilson's time, the United States has jettisoned his nonrecognition policy.

During the spring and summer of 1913 the European governments, including Great Britain, and Japan and China, all recognized Huerta *de facto*, following traditional practice. The Latin American republics (except Guatemala, dangerously close to Huerta) withheld recognition. The South American states, particularly Argentina, Brazil, and Chile, showed a disposition to follow the lead of the United States.<sup>11</sup>

Ambassador Henry Lane Wilson had been unsympathetic to the reformer Madero when it became apparent that he was not strong enough to preserve order and to protect foreign citizens and property. As dean of the diplomatic corps, but acting on his own responsibility, he had called together his colleagues who accepted a motion advising Madero to resign. The Ambassador counseled Huerta intimately in the "crisis," so intimately that Secretary Knox had to caution him to use "circumspection." He recommended to Washington that the murders of the President and Vice President be considered a closed incident so far as the United States was concerned, and that the provisional government of Huerta be recognized in return for speedy settlement of all outstanding issues between the two countries (which concerned the security of American citizens and property in Mexico). This Huerta had promised to do as soon as recognized. Had President Taft extended such recognition, as the other powers did, a new dictatorship might have been set up and Woodrow Wilson spared a great international problem at the outset of his Administration. That is, if Huerta had kept such a promise; but we must suspect that his pledge was accompanied by mental reservations, because the general did not swear it on any sacred scapulary nor even on the memory of his dead mother. The murders of Madero and Suárez so shocked the American public that official Washington withheld recognition pending inauguration of the recently elected Democratic Administration on March 4, 1913.

The professional advisers of the Department of State, particularly

the Assistant Secretary, Huntington Wilson, in charge of Latin American affairs, counseled prompt recognition, as Henry Lane Wilson had advised. But President Woodrow Wilson, now diplomatic judge, was preconditioned by his background of thought and principle against recognizing the overthrow of constitutional self-government. To him that would be immoral. Within a week he made public, March 11, 1913, a "Declaration of Policy with Regard to Latin America," which he caused to be dispatched to American diplomatic officials. It added a new principle to the Latin American policy of the United States: opposition to governments established by force in violation of the constitution and against the will of the people. It declared:

"One of the chief objects of my administration will be to cultivate the friendship and deserve the confidence of our sister republics of Central and South America, and to promote in every proper and honorable way the interests which are common to the peoples of the two continents. I earnestly desire the most cordial understanding and cooperation between the peoples and leaders of America and, therefore, deem it my duty to make this brief statement.

"Cooperation is possible only when supported at every turn by the orderly processes of just government based upon law, not upon arbitrary or irregular force. We hold, as I am sure all thoughtful leaders of republican government everywhere hold, that just government rests always upon the consent of the governed, and that there can be no freedom without order based upon law and upon the public conscience and approval. We shall look to make these principles the basis of mutual intercourse, respect and helpfulness between our sister republics and ourselves. We shall lend our influence of every kind to the realization of these principles in fact and practice, knowing that disorder, personal intrigues, and defiance of constitutional rights weaken and discredit government and injure none so much as the people who are unfortunate enough to have their common life and their common affairs so tainted and disturbed. We can have no sympathy with those who seek to seize the power of government to advance their own personal interests or ambition. We are the friends of peace, but we know that there can be no lasting or stable peace in such circumstances. As friends therefore, we shall prefer those who act in the interests of peace and honor, who protect private rights, and respect the restraints of constitutional provision. Mutual respect seems to us the indispensable foundation of friendship between states, as between individuals.

"The United States has nothing to seek in Central or South America except the lasting interests of the peoples of the two continents, the security of governments intended for the people and for no special group or interest, and the development of personal and trade relationships between the two continents which shall redound to the profit and advantage of both and interfere with the rights and liberties of neither.

"From these principles may be read so much of the future policy of this Government as it is necessary now to forecast, and in the spirit of these principles, I may, I hope, be permitted with as much confidence as earnestness to extend to the Governments of all the Republics of America the hand of genuine disinterested friendship, and to pledge my own name and the honor of my colleagues to every enterprise of peace and amity that a fortunate future may disclose."<sup>12</sup>

To this statement of policy must be added the later (October 27, 1913) Mobile address, stating specifically that "the United States will never again seek one additional foot of territory by conquest"—something which both Roosevelt and Taft had declared in principle; and the project for a Pan American liberty pact, which the President proposed to the republics of the Western Hemisphere in 1914, to be discussed in the following chapter. Together they constitute the distinctive Latin American policy of Woodrow Wilson. Back of them stands unexpressed in any declaration the traditional Latin American policy of the United States: security of the Continental Republic in an independent republican New World.

It was a big order to implement such an insistence on constitutional regularity throughout the whole world, or even in all of Latin America,<sup>13</sup> not to mention Mexico alone.

Despite the sympathetic inclination of the European powers toward Huerta, and contrary to the recommendations of the experienced Henry Lane Wilson, Woodrow Wilson determined to unseat the dictator and thus save self-government for the people of Mexico. Lacking full confidence in the foreign service of the United States in Mexico, including the Ambassador, the President sent personal agents of his own—who knew much less about the country than did the regular officials of the Department of State there—to inform him directly upon the situation. One of these, the journalist William Bayard Hale, reported that there had been a suspicious intimacy between Henry Lane Wilson and Huerta. The President removed Wilson. Hale himself recommended military intervention to put Huerta out and set Mexican affairs in order, just as Ambassador Wilson had urged the same action to keep the dictator in power in order to restore peace and stability. Then President Wilson sent Secretary Bryan's friend, John Lind, former Governor of Minnesota, who knew nothing about Mexican affairs, to try to reach a settlement with Huerta. Lind was to propose an immediate armistice, Huerta to eliminate himself on condition of a free election of his successor by the Mexican Congress.<sup>14</sup> If Huerta would

agree to this, Wilson was willing to ask American bankers to loan him money to keep his regime financially afloat until he stepped out at the elections. The dictator refused to admit this intrusion of foreign influence, and hoped for the diplomatic support of the powers that had recognized his regime *de facto*; from them he might import munitions of war which could not reach his opponents if only because he controlled the seaports, and perhaps secure loans. He purged the Mexican Congress and made the subservient rump elect himself as President, thus defying completely his adversary at Washington.

The President of the United States now tried to bring the European powers into line with his Mexican policy, particularly Great Britain to whom he promised to urge Congress to repeal the Panama tolls act which had discriminated in favor of United States coastal shipping destined to pass through the new waterway, in violation, so it was contended, of the Hay-Pauncefote Treaty of 1901.<sup>15</sup> Under orders from London the British Ambassador faced about and led a troop of European diplomats into the Palace of Chapultepec to urge Huerta to yield to the demands of the United States and give up the Presidency. The dictator rejected this perfunctory advice. He knew the European powers were not really opposed to him.

When persuasion met only obstinacy and sarcasm, even contempt thinly concealed, the President's personal emissary John Lind urged Wilson to promote civil war in Mexico as a means of getting rid of Huerta: to throw the support of the United States to the Constitutionalist forces operating in the north under Carranza and Villa, to open the frontier to the export of munitions to their armies, to institute a naval blockade to prevent Huerta from getting such supplies from overseas; if that did not succeed he recommended armed intervention by the United States to impose self-government, peace and liberty upon Mexico by force, after the fashion of Cuba. Woodrow Wilson shrank from the prospect of direct use of force. He decided rather in favor of encouraging further civil war. On February 3, 1914, he removed the embargo on the shipment of arms to Mexico, so the Constitutionalists who controlled the northern frontier could get them. Even before then he had allowed munitions to go through the embargo to Carranza and Villa.

Now the dictator was doomed, and desperate. He began to snap back at his opponent in Washington, whose warships were patrolling the coasts of Mexico ready to impose a blockade if necessary. Under these circumstances of tension, one of Huerta's subalterns at the port

of Tampico arrested some sailors stepping on shore from a tender to buy supplies for the U.S.S. *Dolphin*, and publicly paraded them as captives through the city. A superior officer quickly released them, on demand, with an expression of regret, in which Huerta himself joined.<sup>16</sup> In view of the flagrantly conspicuous circumstances Admiral Mayo demanded an unconditional salute of twenty-one guns to the United States flag, and the President backed him up, only to get deeper into trouble in Mexico. The salute he never got, never. When apology and salute were not immediately forthcoming, more ships were sent to Mexico, and on April 21, United States armed forces occupied the port of Vera Cruz,<sup>17</sup> not without considerable bloodshed, in order to cut off a shipment of arms due to arrive on a German merchant ship.<sup>18</sup>

At the moment of crisis with Mexico, President Wilson, following the tradition of United States presidents, placed the matter before the Congress, in a special message of April 20, 1914, asking approval of his proposal to use armed forces to secure respect for the United States. Congress voted him that approval on April 22, after the President had felt obliged, by the approaching shipment of arms, immediately to exercise his powers as military commander, in anticipation of the approval of Congress. All contending factions in Mexico resented the intervention. Huerta hoped it would unite them under his command against a foreign aggressor.

Strange as it may seem in view of his several interventions in Mexico, the Dominican Republic, Haiti, and Nicaragua, and his greatest intervention of all in the European War in 1917, Wilson considered himself a noninterventionist. But his diplomatic interpositions led him to forceful interventions, as he saw it, to save constitutional government in the New World by conserving its forms in Mexico and elsewhere, finally to make the whole world safe for democracy. The occupation of Vera Cruz was infinitely distasteful to him and he wanted to get out of there as promptly as he could, but characteristically he had put himself into such a place that he could not withdraw until he had overthrown Huerta, without damaging his country's prestige and stultifying his own moral purpose. To stay there was to remain an interventionist in the face of all his professions for peace and amity with Latin America, to bring into question nothing less than his own earnest sincerity. From this dilemma he was rescued by the joint mediation proffered by Argentina, Brazil, and Chile in the Mexican imbroglio. This he accepted in the hope that the mediators might find "those who spoke for the several elements of the Mexican people willing and ready to discuss

terms of satisfactory and, therefore, permanent settlement.”<sup>19</sup> Such was the public explanation; behind the scenes the President made it clear to the mediators that he would not deviate from his position.<sup>20</sup>

The ABC *démarche* offered the possibility of getting out of an ugly situation without further shooting and without incurring the ill will of the rest of Latin America. At the same time it advanced the policy of inter-American collaboration for peace begun by Elihu Root and Theodore Roosevelt in the joint Mexican-American mediation in San José and Washington in 1906 and 1907. Now the most important and stable states of South America presented their mediation to compose a difference in North America between those republics which recently had been mediators together in Central America. The acceptance of this was an unchallengeable earnest of Wilson's sincerity. It was a further long step toward the Pan American peace structure of our own days.

Huerta accepted mediation and sent representatives who participated with those of the United States in discussions with the ABC diplomats in the neutral city of Niagara Falls, Ontario. Carranza accepted in principle but not in fact. In the long and detailed confabulations it was the desire of the United States Government that Huerta should immediately resign after turning over his power to a “constitutionalist” provisional government pledged to agrarian reforms and the protection of foreigners and their property.<sup>21</sup> President Wilson never abandoned the legitimate rights of nationals of the United States in Mexico, but he always placed first the human rights of the Mexican people, or what he considered as such, and he had become convinced that future tranquillity and constitutional government in Mexico required a better distribution of the land.<sup>22</sup> The adjudication and satisfaction of claims could wait until that was achieved and permanent peace had followed.

Huerta now was willing to quit. His spokesmen opposed turning over his authority, such as it was, to a Constitutionalist regime. They insisted on a “neutral” stop-gap. Ultimately, just before the outbreak of war in Europe, the mediators recommended that a provisional government be agreed upon by delegates representing the opposing parties in Mexico, and that the temporary regime, to be followed by free elections, be then recognized by the United States and the mediating governments. This plan fell to the ground because the Carranzistas refused to treat with their enemy Huerta. The dictator, his position increasingly untenable, resigned after appointing his Minister of Foreign Affairs as Provisional President. Huerta died in exile, a poor man.

Wilson's first purpose—the elimination of Huerta—thus was achieved, and with the not over-enthusiastic cooperation of the most prominent South American governments, consequently without alienating the other governments and peoples of the New World, above all, without war. He was not so successful in his second purpose, quick transfer of authority to the Carranza regime and stabilizing peace in Mexico under a liberal constitutional government and a program of agrarian reform.

United States forces evacuated Vera Cruz, November 23, 1914, but Mexico City became the shifting prize of partisan armies when in those savage days the several revolutionary forces, Carranzistas, Villistas, Zapatistas, swept in and out of the beautiful capital with their rival hordes. Nobody knew what the government was. To some it seemed that the forces of anarchy had been let loose only to justify the conviction of the former ambassador, Henry Lane Wilson, that nothing but a strong and dictatorial man could keep that hapless land from reverting to confusion and violence.

Anxiously Woodrow Wilson cast about for some authority to take hold of and recognize and support in Mexico, and so to bring order without further military intervention—for there was a vociferous minority of his countrymen demanding intervention to protect American rights and property. He foresaw that if the Mexican problem were not settled before the war ended in Europe, non-American governments—whose nationals he was even now urging the rival bands in Mexico to protect—would have grounds for intervention in a region so strategically interesting to the United States and its naval communications, interesting in the most vital sense of the word. No one then knew that the European War would last years longer or what its result would be;<sup>23</sup> in fact the President was becoming more and more engrossed in problems of maritime neutrality and anxious to bring about peace in Europe lest the United States itself become involved. Fundamentally, then, behind his insistence on self-government and agrarian reform as the pattern for permanent peace in Mexico, back of the Wilsonian moral concepts of politics and diplomacy, there lay the traditional motive of security for the Continental Republic of the United States fronting on the two great oceans, east and west, and the newly opened Panama Canal connecting the two.

Again the President sought the collaboration of sister republics. Robert Lansing, Counselor of the Department of State, had conceived an impractical but interesting project of an ABC-US joint military intervention to restore peace and security in Mexico, the ABC nations

to contribute only small naval contingents.<sup>24</sup> Instead of this, Wilson contented himself with instructing Lansing, now Secretary of State *ad interim* following Bryan's resignation over the *Lusitania* crisis, to call into common counsel the diplomatic representatives at Washington of Argentina, Bolivia, Brazil, Chile, Guatemala, and Uruguay<sup>25</sup> to advise on what regime to support as a provisional government pending honest elections—the President was inveterately sanguine in assuming that such were possible in Mexico. The ABBCGU-US conferees pronounced in favor of Carranza as the best all-American hope for self-government and peace south of the Rio Grande; consequently all those governments recognized him (October 19, 1915) as the chief executive of a *de facto* government. Simultaneously President Wilson proclaimed an embargo on the shipment of arms and munitions to Mexico, but gave instructions to appropriate officials to make an exception in favor of those destined to the newly recognized *de facto* government.<sup>26</sup>

This incensed Carranza's northern rival, his erstwhile colleague, the bandit general Villa, who now tried to provoke actual intervention by the United States so that he could gain power by rallying all his countrymen under his own leadership to repel the invader. This picturesque butcher incited his troops to murderous border forays. His outlaws caught and slaughtered in cold blood sixteen young American engineers, recent college graduates, as they stepped off a passenger train from California, at Santa Ysabel, to reopen a mine under promises of protection from Carranza. An angry Congress in Washington passed a resolution (March 7, 1916) for armed intervention if necessary to protect American citizens, but Wilson accepted the worthless promise of Carranza to punish the murderers. Finally Villa's nondescript cavalry invaded the United States and "shot up" the frontier communities of Columbus, New Mexico, where seventeen innocent citizens were killed in their home town under their country's flag (March 9, 1916), and Glenn Springs and Boquillas, Texas (May 5, 1916), where the outlaws shot down three troopers of a border patrol of nine men, killed a little boy, and kidnapped two men. Such gruesome episodes, repeating with old-time savagery the bloody Indian raids of a previous century, could scarcely be more provocative at a time when increasing uncertainty of American neutrality in the European war (the *Sussex* crisis) was threatening to involve the United States in a world conflict.

On general principle Woodrow Wilson was dead set, as we have seen, against intervention in the neighboring republic; much less did he want to entangle the small army of the United States in an onerous



and costly pacification and create a war front in North America at the very time when all military resources soon might be needed elsewhere. Nor did he wish to wreck what he considered to be the morally regnant position of the United States in the Western Hemisphere.<sup>27</sup> After the Columbus raid he ordered regular troops to cross the boundary in hot pursuit of Villa, and reinforced the army by mustering the national guard, 150,000 strong—really 150,000 weak, soft, and wretchedly unprepared for war, as the mobilization vividly demonstrated to the nation. But Villa's trail soon got cold. Contingents of American troops remained in northern Mexico, without catching the bandit, until February 5, 1917, a few days after the rupture of diplomatic relations with Germany. During this time Presidential orders prudently canceled all permission for export of arms and munitions through the embargo to Carranza's *de facto* government. A total embargo remained in existence to be merged eventually into one comprehensive war-time embargo of July 9, 1917, for the conservation of war materials.<sup>28</sup>

Carranza was far from cooperating with pursuit of his enemy Villa into northern Mexico, despite readiness of the Wilson Administration to agree to reciprocal crossing of the boundary by Mexican or United States troops, in pursuit of Mexican bandits. He was not without suspicion of Wilson's motives, and he was above all unwilling to let his rival have any chance to pose exclusively as the liberator of Mexico. He considered the presence of Pershing's troops an invasion of his country, and demanded that they get out. Clashes between some of the American general's command and Mexicans at Parral, and a collision with a force of Carranza's troops at Carrizal in June, 1916, together with the firing on American ships evacuating citizens from danger zones, nearly led to actual war.

In the presidential elections of 1916 the Republicans attacked Wilson's complacency, just as the Democrats had assailed Taft's patience in dealing with Mexico in 1912. But the President resisted rising demands for vigorous intervention. To avoid further hostilities he adopted Lansing's suggestion of a joint Mexican-American commission to settle the trouble. After weeks of fruitless negotiation with their Mexican colleagues at New London, Connecticut, the United States Commissioners, though they refused to make any joint pronouncement to that effect, advised the President that, as the lesser of two evils, the troops be withdrawn, full diplomatic relations be re-established with Mexico, and the border rigorously patrolled against further raids. Such was, really, what the Mexican Commissioners had demanded. It was another tri-

umph for Carranza. Wilson's decision was not precipitated directly by the contemporary crisis with Germany. Orders to Pershing went out a week before receipt of the German note announcing renewal of unrestricted submarine warfare on February 1, 1917.<sup>20</sup> Fundamentally, of course, the First World War was a decisive factor. Woodrow Wilson did not want to have one hand tied behind him at the very moment when the nation might need all of its forces to meet the European situation.

Following the break with Germany, with a first-class war in the offing, Wilson was as eager to be quits with Carranza as that chieftain was to be rid of the Presbyterian of the Potomac. The Mexican Congress was assembling as an electoral college to make Carranza president and to draw up a new constitution as Wilson hastily completed a *de jure* recognition by exchanging ambassadors (March 3, 1917). Formal elevation of Carranza to the presidency, and adoption of a constitution embodying the reforms of the revolution so dear to Wilson's own heart, enabled him to consider his principal objectives satisfied. On April 6 Congress declared war against Germany, and the Mexican problem dropped out of sight.

Woodrow Wilson's Mexican policy, based on his principle of not recognizing an usurper's overthrow of constitutional government, can hardly be called an unqualified success. He intervened diplomatically to save the Mexican people from a new dictator. This novel action, the product of idealism and inexperience, involved him against his will in limited military interventions, and it very nearly brought the United States into an unnecessary war with Mexico at an extraordinarily critical moment of its history. He opened full wide the sluiceways of a revolution that distressed and ravaged the people beyond measure. Hundreds of American citizens lost their lives in the ensuing violence. Most of the survivors left the country, abandoning their homes and property. In subsequent decades, hundreds of millions of legitimately invested American capital was lost. Destruction of property of the Mexican *científicos* naturally turned against the United States the survivors of that élite, the most intelligent and able fraction of the population. The interventions in the port of Vera Cruz and the northern states alienated the remainder. For a long time afterward neither the suffering people of Mexico nor their successive governments were sincere friends of the United States.

One significant credit, however, can be placed to Wilson's Mexican policy. The great noninterventionist intervened in Mexico, both diplo-

matically and by force, without antagonizing overmuch the other Latin American republics. On the whole they trusted him. His collaboration with them to end intervention, to prevent war, convinced the New World in general of the sincerity of his good intentions and laid a foundation for the later political solidarity of the Western Hemisphere, and this despite the other interventions for which the idealist of the White House was responsible in Central America and the Caribbean. When the great test of Wilson's policy of dealing with his neighbors came in 1917, they did not turn against the United States. Mexico remained cold to the notorious Zimmermann proposal of January, 1917, for an alliance with Germany and Japan to reconquer the "lost provinces" from the United States.

## CHAPTER XI

### *The Latin American Policy of Woodrow Wilson (1913-1921)*

SINCE the turn of the century and the appearance of the new order of sea power the Caribbean and Central American areas had become increasingly important as primary concerns of American defensive strategy, expressed in what I have been designating as the Panama Policy of the United States. In that policy, itself a major chapter of Latin American policy, the Roosevelt Corollary now held a paramount place. Wilson and Bryan had no idea of repudiating it; rather they strove to strengthen influence and control in these regions in order to remove further than ever justification for any European intervention. All this they covered with a sincere Wilsonian zeal for saving the people from bad government, tyranny, and economic exploitation in order that they might be made fit and stable for self-government, liberty, and the pursuit of happiness under protection of the United States, as in the case of Cuba. All this the missionaries of Democracy desired in order that "benighted" peoples might be saved from themselves for themselves.

The new missionaries professed to be more jealous of the power of special interests over national interests, of the baleful "dollar diplomacy" which they imputed to their less moral predecessors; but their pious endeavors were never in conflict with strategic demands for defense of the Continental Republic which always boxed the compass of the Latin American policy of the United States. In pursuing their idealistic and strategic purposes they traveled farther along the pathway of protective imperialism than did their precursors.

William Jennings Bryan had a homeopathic cure for the ills of dollar diplomacy, a putative remedy which was a quarter of a century in advance of his time, like so many of Bryan's ideas good and bad. Doubtless

he did not know about proposals of his predecessors Seward, Fish, and Blaine pointing in the same direction. He proposed that the United States Government be a "modern good Samaritan" and loan enough money to Nicaragua, or indeed to any Latin American republic that was in serious trouble with private foreign creditors, to free them from their debts.

"They [the Latin American republics] are now compelled to pay a high rate of interest and to sell their bonds at a discount. . . . If the United States offers to loan them its credit to the extent that such a loan is safe, the bonds could be made to draw four and a half per cent, which would be an immediate saving to them in the way of interest and the difference of a [per] cent and a half between their bonds and ours could go into a sinking fund which would, in a reasonable time, at compound interest, pay off their debts and leave them free. We could, in this way, relieve them of the debts which embarrass them, and enable them to construct such railroads as are imperatively necessary for the development of their countries.

"The second advantage would be that *the plan would give our country such an increased influence . . . that we could prevent revolutions, promote education, and advance stable and just government.* . . .

" . . . We would in the end profit, negatively, by not having to incur expense in guarding our own and other foreign interests there, and, positively, by the increase of trade that would come from development and from the friendship which would follow the conferring of the benefits named."<sup>1</sup>

The pitfalls hidden in this formula were the assumption that public loans would have to be guarded less carefully than private loans, and that invited borrowing makes debtor governments friendly to creditor governments. Despite the evangelical appeal, Woodrow Wilson politely set aside the Great Commoner's panacea. Its political implications at home and abroad were too startling, at least for those times. Quite distinctly Bryan's plan is the formula of the newer dollar diplomacy of our day.<sup>2</sup>

Wilson's veto of Bryan's revised version of dollar diplomacy forced the Secretary to fall back on Knox's old-fashioned dollar diplomacy as a means of relieving the financial distresses of Nicaragua under American occupation. In doing so he did not overlook the Panama Policy. After the Senate had balked at Platt Amendment articles that would have imposed, at the request of Adolfo Díaz, a protectorate *à la* Cuba, Bryan fell back on the model of Knox's unratified Nicaraguan canal treaty, with naval bases at each terminus, Atlantic and Pacific, of the envisioned waterway. Such was the Bryan-Chamorro Treaty, ratified in 1916.\* In return for the grant of perpetual proprietary canal rights and

\* Signed August 5, 1914.

renewable leases of naval bases the United States paid to Nicaragua \$3,000,000, to be expended under the supervision of both parties for the relief of the public debt and other measures for the welfare of Nicaragua. This money went to satisfy in part the numerous creditors, including a portion of the awards of the Mixed Claims Commission, and the bankers, who asserted preferential claims on the treaty fund. To this preference the United States would not consent. Therefore, to get any share of the treaty money, the bankers had to accept a new Financial Plan for the governance of Nicaraguan finances over which they had been in full charge since 1912. Under this Plan a joint High Financial Commission took over the supervision of Nicaragua's finances. Another special commission *ad hoc* scaled down the republic's debts in cooperation with all classes of creditors.

The \$3,000,000 canal money was not enough to rehabilitate Nicaraguan finances. In 1917 the Nicaraguan Congress approved a new internal bond issue of \$4,000,000 *cordovas*,\* also guaranteed by customs collections under the receiver-general,† like the loans of 1912, to pay or refund the remainder of Nicaragua's debt. Under this Plan, which rested on diplomatic understandings rather than any treaty, Nicaraguan finances prospered, and the state was able to purchase back from the bankers the National Bank in 1920 and the Pacific Railroad in 1924. Thus did the republic free itself, with the aid of American diplomacy, from the control which the bankers had installed in 1912 when the Senate rejected the Knox-Castrillo treaty, and thus ended the problem of claims and debts which had disturbed the Isthmian country ever since 1909, and earlier.<sup>3</sup> By finally taking control of Nicaraguan finances out of the hands of the bankers and putting them under the joint High Financial Commission, Wilson's diplomacy had mitigated to a slight extent the dollar diplomacy of Knox, but generally speaking there was little fundamental difference, aside from some expressions of moral fervor, between the Nicaraguan policy of Knox and Taft and that of Bryan and Wilson.

Nicaragua continued under American occupation,<sup>4</sup> its burden of debt gradually lightening by bonded schedule, and its prosperity now steadily increasing, aided by the First World War, until it should be upset

\* A *cordova* was to equal a dollar at par. C\$3,744,000 of the loan was issued.

† The receiver-general of customs, an American citizen appointed by the Nicaraguan Government and approved by the Secretary of State of the United States, was to step in and collect the customs only if the monthly yield fell below C\$60,000 a month for a period of three consecutive months.

by another revolution as soon as the United States marines were withdrawn in 1925. Most significant of all, the one other practical Isthmian route, offering a rival or a supplemental canal for naval communications between the two ocean seacoasts,<sup>5</sup> was brought under the exclusive control of the United States. In the Bryan-Chamorro Treaty, the article providing for renewable leases of the naval bases was declared to be specifically "to enable the Government of the United States to protect the Panama Canal and the proprietary rights granted to the Government of the United States by the foregoing [Nicaraguan canal] article, and also to enable the United States to take any measures necessary to the works contemplated herein."

Surely there could have been no more explicit embodiment of the Panama Policy, unless it were the inclusion of Bryan's Platt Amendment features that the Senate had thrown out of his treaty as first presented. And this was the work of the idealists themselves.

After the new adjustment of Nicaraguan relations, and partly as a result of it, a most unfortunate controversy arose in 1914 to weaken and well nigh ruin the Washington peace structure of 1907 in Central America. Costa Rica asserted certain proprietary rights to the San Juan River, lengthy eastern sector of the proposed canal route, rights which she contended were confirmed by a treaty of 1858 with Nicaragua, and by a later arbitral award of President Cleveland in 1888. Nicaragua, she asserted, had violated those rights by ceding to the United States exclusive proprietary title to the canal site without consulting Costa Rica. Honduras and El Salvador entered protests also against cession to the United States of a naval base in the Gulf of Fonseca which washed their shores as well as those of Nicaragua. The Senate of the United States took cognizance of these protests. It attached to its ratification of the Bryan-Chamorro Treaty in 1916 the following careful reservation, too often overlooked by students of the subject:

"And whereas, the advice and consent of the Senate of the United States to the ratification of the said Convention was given with the following proviso: 'Provided, That, whereas, Costa Rica, Salvador and Honduras have protested against the ratification of the said Convention in the fear or belief that said Convention might in some respect impair existing rights of said States'; therefore, it is declared by the Senate that in advising and consenting to the ratification of the said Convention as amended such advice and consent are given with the understanding, to be expressed as a part of the instrument of ratification, that nothing

in said Convention is intended to affect any existing right of any of the said named States.”

Costa Rica and El Salvador filed suit against Nicaragua in 1916 in the Central American Court of Justice. Nicaragua refused to respond, on the ground that the Court had no competence over a treaty between a Central American state and an outside power. The United States did not see its way clear to act as a bailiff of the Court and to make Nicaragua obey it. When the Court pronounced judgment against Nicaragua, that republic gave the necessary one year's notice for the abrogation of the convention of 1907 which had established the tribunal. Since the Court was tied into the general treaty of peace and amity of Washington of 1907, Nicaragua's withdrawal pulled the keystone out of that structure. The war against Germany, in which all the Central American states except El Salvador were co-belligerents with the United States, now intervened. The broken Court and the weakened peace structure had to wait until after the war to be taken up at Washington in 1922.

In Santo Domingo and Haiti Bryan pursued, with President Wilson's support, the Panama Policy as vigorously as in Nicaragua. Theodore Roosevelt's treaty of 1907 with the Dominican Republic had given to the United States the right to protect the receiver-general of customs in the performance of his duties. It had conferred no further right of intervention for other purposes. In 1912 the repressed *políticos* of the Dominican Republic had broken out into revolution after the assassination of the cooperative President Cáceres and rapidly dissipated all the gains in good government of the previous five years. President Taft interfered, beyond the letter of the treaty of 1907, to “dictate a policy beneficial to the country,” in the words of advice from the United States Minister there.<sup>6</sup> Under persuasion that the stilling of internal strife was necessary for peaceful collection of customs, Secretary Knox sent special commissioners to the republic, escorted by a force of 750 marines, to insist upon the removal of a trouble-making cabinet officer, the granting of general amnesty to political offenders, and other reforms deemed necessary for the restoration of quiet and contentment. Knox and Taft then used the power of recognition to depose a constitutional but unruly government. The existing authorities were informed that if they remained in office they would no longer be acknowledged and the Dominican Government's treaty share of customs revenues would be withheld pending the creation of a government that could be recognized. Under irresistible pressure from Washington President Victoria perforce resigned, and the local Congress elected a President



indicated by Washington as the alternative to armed intervention, a good man, an archbishop, but too weak to keep the peace, so it proved. To repair the fiscal damages of revolution Knox arranged for the National City Bank of New York to issue a new loan of \$1,500,000 to the harassed republic.

Taft's interposition brought only temporary stability. When Woodrow Wilson took office in March, 1913, the Dominican Republic once more was on the verge of anarchy. It was apparent that another costly revolution would break down all stability in the country, would bring on again those dangers of foreign intervention that Theodore Roosevelt's financial protectorate had been designed to forestall.

Like Knox, Bryan<sup>7</sup> was for dictating a policy beneficial to the Dominican Republic. He and Woodrow Wilson were just as anxious as Elihu Root and Theodore Roosevelt had been that the island of Hispaniola should not present any ground or pretext for European intervention in strategic proximity to the Panama Canal. In line with President Wilson's general pronouncement of Latin American policy, of March 11, 1913, the new Secretary of State served notice that the United States would not tolerate any insurrection in Santo Domingo, that it would withhold the treaty share of customs collections from any unconstitutional regime that might spring up there. Under Bryan's direction the United States interfered to supervise elections in 1914, and gave it to be understood that it would support the newly elected government by force if necessary. To do this troops occupied the capital in 1916, at the beginning of an intervention that continued until 1924. A military government under the United States flag supervised the island republic until 1922 when a provisional Dominican government was set up as a first step in preparation for evacuation. Meanwhile a program of public works, sanitation, and agriculture got under way, administered by American experts. In 1924, after administering a fair-and-free election of a constitutional government, the military authority of the United States ceased, and the marines departed, not until after a convention had been signed between the two governments ratifying all the acts of the intervention, and recognizing the new bond issues of 1918 and 1922 as binding and irrevocable. During the life-time of these bonds the treaty of 1907 and the United States receivership were to remain in force.

All this interference was not immediately necessary for the mere sanitation of the debt and the protection of foreign nationals. It was partly missionary zeal to do good to Dominicans despite themselves.

The material and moral benefit resulting to the Dominicans from this encroachment upon their sovereignty—these people claimed the same sovereign equality as other nations—was indubitable; but the intervention did suppress their insurrectionary habits, indeed their sovereign right of revolution, that is to say, in this island at that time, their sovereign right of suicide. It would seem that the long occupation, and the educational and economic improvement flowing from it without any exploitation of the island by the United States and its nationals, has had a certain proven therapeutic effect on political stability. In recent years, after this timely tutelage, the Dominican Republic has been "running on its own" very successfully.

Bryan had urged intervention in Haiti also for similar reasons. Before the European war commenced in August, 1914, there was good reason to suspect that European powers were ready to establish a customs control there to protect the just interests of their nationals, if the United States did not do something. Both Bryan and Wilson were acutely aware of the importance of this Negro republic to the defence of the Panama Canal, particularly the value to a non-American power of the harbor of Mole St. Nicholas, where a naval base could control the passage between Hispaniola and Cuba. "I am satisfied," wrote Bryan to Wilson, "that it will be of great value to us and even if it were not . . . it is worth while to take it out of the market so that no other nation will attempt to secure a foothold there."<sup>8</sup> As in the case of Venezuela in 1902, and the Dominican Republic in 1904, European powers—in this instance France and Germany—proposed respectively, in March and July, 1914, that their governments participate with the United States in a joint customs receivership for Haiti.<sup>9</sup>

Wilson and Bryan were as emphatically opposed to such a non-American intrusion into the Western Hemisphere as Theodore Roosevelt had been. They reacted in precisely the same way, even more positively, as the European situation obviously invited. "The Government of the United States," said President Wilson in his own words to Germany, September 16, 1914, "is well known to have taken for many years and without variation of policy the position that neither foreign mercantile influences and interests, nor any other foreign influence or interest proceeding from outside the American hemisphere could with the consent of the United States be so broadened or extended as to constitute a control, either in whole or in part, of the government or administration of any independent state."<sup>10</sup> The President and his Secretary of State went back to Theodore Roosevelt's Dominican treaty

of 1907 as their basic model for a similar arrangement with Haiti when complete anarchy compelled them to intervene in that republic too.

In the summer of 1915 all law and order disappeared in Port-au-Prince. President Vilbrun Guillaume Sam, who had received recognition from France, Germany, and Great Britain, but not from the United States, suddenly slaughtered 167 political hostages whom he had taken into custody from the forces of his opponents. A maddened populace then attacked the tyrant, chased him into the French legation, violated that asylum, took him out, and pulled and hacked Sam into small pieces, "dismembered him," as the gentle Ray Stannard Baker puts it. In these riotous conditions the lives of foreigners were not safe. The British and French diplomatic representatives begged the United States naval commander in those waters to land and restore order and safety. Immediately President Wilson caused marines to be landed, assured the British and French Governments that their nationals would be protected, and asked them not to land forces.<sup>11</sup> Busy with other important affairs in that year 1916, they were glad enough to leave the policing of Haiti to the United States, as they had left other Caribbean republics. There followed a treaty with Haiti, accompanied by new bond issues from American banks, for the consolidation and refunding of the debt and the support of treaty services for the welfare of the Haitians.

The treaty was written to last for twenty years, the anticipated lifetime of the bonds. It contained some stronger articles than the Dominican treaty of 1907, the lesson of experience with that republic. An American financial adviser and a receiver-general of customs were provided for, as well as a native constabulary under American training and control, and the cooperation of American experts for sanitation and public improvements. More significant were Articles XI and XIV, embodying the principle of the Platt Amendment and making Haiti into a formal protectorate of the United States, something which Bryan<sup>12</sup> had not been able to get by the Senate in the case of Nicaragua:

"Article XI. The Government of Haiti agrees not to surrender any of the territory of the Republic of Haiti by sale, lease, or otherwise, or jurisdiction over such territory, to any foreign government or power, nor to enter into any treaty or contract with any foreign power or powers that will impair or tend to impair the independence of Haiti.

"Article XIV. The high contracting authorities shall have authority to take such steps as may be necessary to insure the complete attainment of any of the objects comprehended in this treaty; and, should the necessity occur, the United States will lend an efficient aid for the preservation of Haitian

Independence, and the maintenance of a government adequate for the protection of life, property and individual liberty."

Franklin D. Roosevelt, Wilson's Assistant Secretary of the Navy, later acknowledged that it was he who wrote the new constitution imposed on Haiti under American occupation. He added that it was "a pretty good constitution, too."<sup>13</sup> The marines in Haiti met resistance in the interior of the country. The so-called "*Caco* revolt" during the midst of the war with Germany in 1918, was quelled, not without some disagreeable measures, for which public opinion demanded just accounting in calmer times after the First World War. Of the military occupation, which did not end until 1934, and the protectorate, the same may be said as that of the Dominican Republic.

The purchase of the Danish West Indies by the treaty signed on August 4, 1916, has never been branded as dollar diplomacy any more than the Louisiana Purchase. Denmark sold for American dollars her entire sovereignty over the islands, specifically reserving sovereignty over Greenland, her remaining possession in the Western Hemisphere, which the United States formally acknowledged. Wilson had long been interested in the purchase of these islands, but he realized that the Senate had rejected Seward's treaty of 1867 for their acquisition, and he remembered that the upper house of the Danish Parliament had rejected, by one vote, a later treaty, negotiated upon Theodore Roosevelt's initiative in 1902 for the same object. The European war made it possible that a victorious Germany might acquire them either by purchase or by the conquest of Denmark. This would have been a direct and spectacular challenge of the No-Transfer principle of the Monroe Doctrine which the United States would prefer not to have made. Negotiations with Denmark were begun again in June, 1915. Secretary Lansing very frankly told the Danish Minister in Washington that circumstances might arise which would compel the United States to take possession of the islands.<sup>14</sup> After such a notice one could scarcely blame the Danish Government for holding out for as exorbitant a price as possible. They got \$25,000,000 cash. This was five times what they asked in 1902. The islands were a poorhouse surrounded by salt water, but they stood up in a most strategic spot, across the Mona passage from Puerto Rico. The only objection in the United States to this piece of diplomacy was the high price paid. This was less than the price today of two naval destroyers. In 1940 the United States Government gave fifty destroyers for the ninety-nine-year lease of five island sites in the

West Indies plus one in British Guiana for naval bases.\* The Danish deal was cheap insurance, as the events of our day have proven.

Notwithstanding the rapid projection of American influence in the Caribbean and Central America effected by Woodrow Wilson's interventions in pursuit of the Panama Policy, the Latin American people in general trusted his professions more than they did those of Theodore Roosevelt and William Howard Taft, when he said that the United States did not wish to take the territory of those nations where it had intervened, nor to infringe upon their independence, nor even to interfere in their internal concerns any more than was necessary loyally to redeem their liberties.

Like his immediate predecessors, Wilson drew a distinction between the politically shaky states of the Caribbean and Central America, on the one hand, and on the other hand the relatively stable republics of South America, particularly Argentina, Brazil, and Chile. The latter he thought had grown up to the estate and power of responsible self-government, and were able to take care of themselves.<sup>15</sup> His acceptance in 1913 of their mediation in the Mexican imbroglio, as well as the later ABBCGU conferences of 1916, had a wonderfully sympathetic reaction on public and official opinion in Latin America. In 1914 he proposed to the ABC republics his celebrated project for a Pan American liberty pact. This idea has been attributed to Colonel Edward M. House of Texas, but it has an earlier history.

The germ of the idea appeared in a resolution introduced in the Trans-Mississippi Commercial Congress at San Antonio, Texas, in November, 1910. This body passed a resolution, introduced by Representative James L. Slayden of Texas, to request the President and Secretary of State to enter into negotiations for a treaty that would quiet forever the territorial titles of the various American states. The resolutions committee dropped this resolution, but that body reported and the Congress adopted Slayden's second proposal, calling for the arbitration of "all" international disputes and their settlement, if necessary by the Hague Court.<sup>16</sup>

Representative James L. Slayden, of Texas, who meanwhile had been appointed a trustee of the recently established <sup>17</sup> Carnegie Endowment for International Peace, introduced in the House of Representatives, January 26, 1911, a resolution <sup>18</sup> expressing "the propriety of a joint agreement between the United States and the various govern-

\* The bases in Newfoundland and Bermuda were declared to be a free gift, the others in the West Indies in exchange for the destroyers.

ments of America for the mutual guarantee of their sovereignty and territorial integrity," and commending to the President for action accordingly the resolutions of the Trans-Mississippi Congress. The resolution was referred to the Committee of Foreign Affairs, and reported favorably by Mr. Garner, of Texas, who suggested that the United States as a "government of commanding strength and resources" should take the first step to bring about such a guaranty: the Monroe Doctrine was a guaranty against European aggression; in this resolution "we merely extend that guaranty as against each other."<sup>19</sup> Congress did not act on the resolution at that session. Slayden waited for a more propitious time.

In the spring of 1912, Mr. S. Perez Triana, Minister of Colombia in London, addressed to the President of each American republic a long memorandum to the effect that "the era of conquest which President Monroe declared as closed in 1823 to European Powers, should be declared as closed to American nations as among themselves, that is, in other words, to declare that conquest, *per se* is objectionable, irrespective of the conqueror." This had an obvious disciplinary implication for the United States, particularly when coming from the pen of a Colombian diplomat. The essence of the Perez memorandum, as extracted in the Department of State, was that the United States, and incidentally the other American governments, should solemnly declare that conquest was proscribed forever from the American continents, and that all should pledge themselves not to practice nor to tolerate the conquest of territory.

The Taft Administration was not ready formally to accept such a self-denying ordinance, which foreshadowed the Kellogg-Briand Treaty of Paris of 1928 and the Pan American declarations of 1928, 1933, and thereafter. A circular to diplomatic officers of the United States in Latin America instructed them to "belittle" the idea if it came up, and to quote Secretary Knox's speech of March 6, 1912, to the Nicaraguan National Assembly at Managua, assuring that his Government "did not covet an inch of territory south of the Rio Grande."<sup>20</sup>

As soon as the new Democratic Administration came into office in 1913, Slayden of Texas, and of the Carnegie Endowment for International Peace, introduced his resolution again in the House of Representatives. The Committee of Foreign Affairs, to which it was referred once more, requested the opinion of the Secretary of State on the subject. It was John Bassett Moore, serving temporarily, at President Wilson's request, as Counselor for the Department of State in the early

weeks of the Wilson Administration, who disposed of the inquiry with a perfunctory statement that the Hague Convention for the Pacific Settlement of International Disputes would be sufficient for the purposes of the Slayden resolution.<sup>21</sup> But President Wilson found the idea "striking" and reserved it for further discussion with the Secretary of State.<sup>22</sup> After Wilson's Mobile speech asserting that the United States would never again seek one additional foot of territory by conquest, Perez Triana broached to Secretary Bryan, through the United States Ambassador in London, a renewal of his proposal of 1912 for a treaty outlawing conquest. Bryan passed the suggestion along to Wilson, in January, 1914. Again the President expressed interest, but deferred discussion.<sup>23</sup> He also acknowledged with an expression of lively interest a letter of Andrew Carnegie in September, 1914, urging the President "to banish war from the American continents by a league of the twenty-one republics that would be an example to the world."<sup>24</sup>

As first drafted by Wilson during a conference with House on December 16, 1914, the proposed Pan American Pact read:

"1st. Mutual guaranties of political independence under republican form of government and mutual guaranties of territorial integrity.

"2nd. Mutual agreement that the Government of each of the contracting parties acquire complete control within its jurisdiction of the manufacture and sale of munitions of war."<sup>25</sup>

The first article contains the Bolivarian essence, although Wilson must have added the phrase "under republican form of government," which was traditionally North American and Monrovia rather than Bolivarian.

The second article undoubtedly sprang from contemporary experience with the Mexican imbroglio.

The project underwent further elaboration and drafting by Lansing, then Counselor of the Department, and by Secretary Bryan, who added an article providing for a commission of inquiry for international disputes, similar to his famous "cooling off" conciliation treaties which he had concluded with so many states, including ten of Latin America.\* Wilson then added another article providing, as a condition precedent for the mutual guaranty of territorial integrity, the settlement of all

\* Treaties were signed with all except Colombia, Cuba, Haiti, and Mexico. The following states did not ratify: Argentine Republic, Dominican Republic, Nicaragua, Salvador, Venezuela, Panama. The completely ratified treaties were with Bolivia, Brazil, Chile, Costa Rica, Ecuador, Guatemala, Honduras, Paraguay, Peru, and Uruguay. See tabulation by Pan American Union, Juridical Division.

territorial disputes "pending and unconcluded"; and a further article embodying the United States formula for the arbitration of disputes not affecting the honor, independence, or vital interests of the nations concerned, or the interests of third parties. In the form of four articles Bryan formally presented the proposal to the ambassadors of Argentina, Brazil, and Chile.<sup>26</sup>

There is no space here to study the various changes that took place in the diplomatic discussions that followed,<sup>27</sup> although mention might be made of an article, added in a four-article draft of April 13, 1916<sup>28</sup> (which telescoped into one article the previous two on conciliation and arbitration), prohibiting the departure, from the respective jurisdictions of the contracting parties, of any military or naval expedition hostile to the established government of any of the contracting parties.

The primary reason for the failure of the republics to accept the pact was the dispute then raging between Chile and Peru as to sovereignty over Tacna and Arica, that "Scylla and Charybdis of Chilean diplomacy" which entered into almost every phase of Chilean foreign policy.<sup>29</sup> Chile would not bind herself to a covenant which might take from her, even by arbitration, the territory that she claimed by conquest from her neighbor. There were other reasons of domestic politics that militated against the pact in some states, including the ABC republics; but at least six governments of the smaller states, to be sure, announced their readiness to sign.<sup>30</sup> The continuing Mexican imbroglio and the interventions of the United States in Nicaragua, Santo Domingo, and Haiti were a further deterrent, and finally the entrance of the United States into the World War in 1917 postponed the subject until the Peace Conference of 1919, when Woodrow Wilson presented the big, Bolivarian article, as Article X of the League of Nations, "the heart of the covenant," omitting, in a global setting at Paris, the Monrovia requirement of "republican forms of government" as necessary to the guaranty of independence and territorial integrity.

That Woodrow Wilson and his advisers had their eyes first, foremost, and all the time on the security of the United States, as the President developed his Latin American policy, is attested by some documents published by the Department of State in 1939, the *Lansing Papers*. In releasing these documents the Department went out of its way to explain that they did not necessarily reflect the official positions taken by the United States Government; they represented only "discussion" concerning the Monroe Doctrine. In this discussion Robert Lansing submitted two thoughtful memoranda on the Monroe Doctrine: one dated



June 16, 1914, while he was still Counselor for the Department of State—this was just before the outbreak of the First World War; the other dated November 24, 1915, when the author was Secretary of State. The gist of these memoranda was that non-American powers by securing economic control over American republics could thereby secure political control. "A European power whose subjects own the public debt of an American state and have invested there large amounts of capital, may control the government of the state as completely as if it had acquired sovereign rights over the territory through occupation, conquest or cession." It would be "as great a menace to the national safety of the United States" whether the control were secured peaceably by financial means, or forcibly in obvious violation of a republic's sovereignty. "Has the time arrived, as a result of modern economic conditions," the Secretary of State inquired of President Wilson, "when the Monroe Doctrine, if it is to continue effective, should be restated so as to include European acquisition of political control through the agency of financial supremacy over an American republic?" His own answer to this rhetorical question was yes, and he urged the President to make a new pronouncement on the Monroe Doctrine.

Wilson wisely avoided such a public declaration. He agreed with Lansing's argument. "Just now," he wrote, November 29, 1915, "I take it for granted, it is only for the guidance and clarification of our own thought, and for informal discussion with our Latin American friends from time to time, semi-confidentially and for the sake of a frank understanding."<sup>31</sup> This was at the very time that Woodrow Wilson was in the midst of his negotiations for a Pan American liberty pact mutually guaranteeing the political independence and territorial integrity of each party under republican forms of government. That proposed pact would be a guaranty that in the future the United States would not by its financial power do what it feared a non-American power might do.

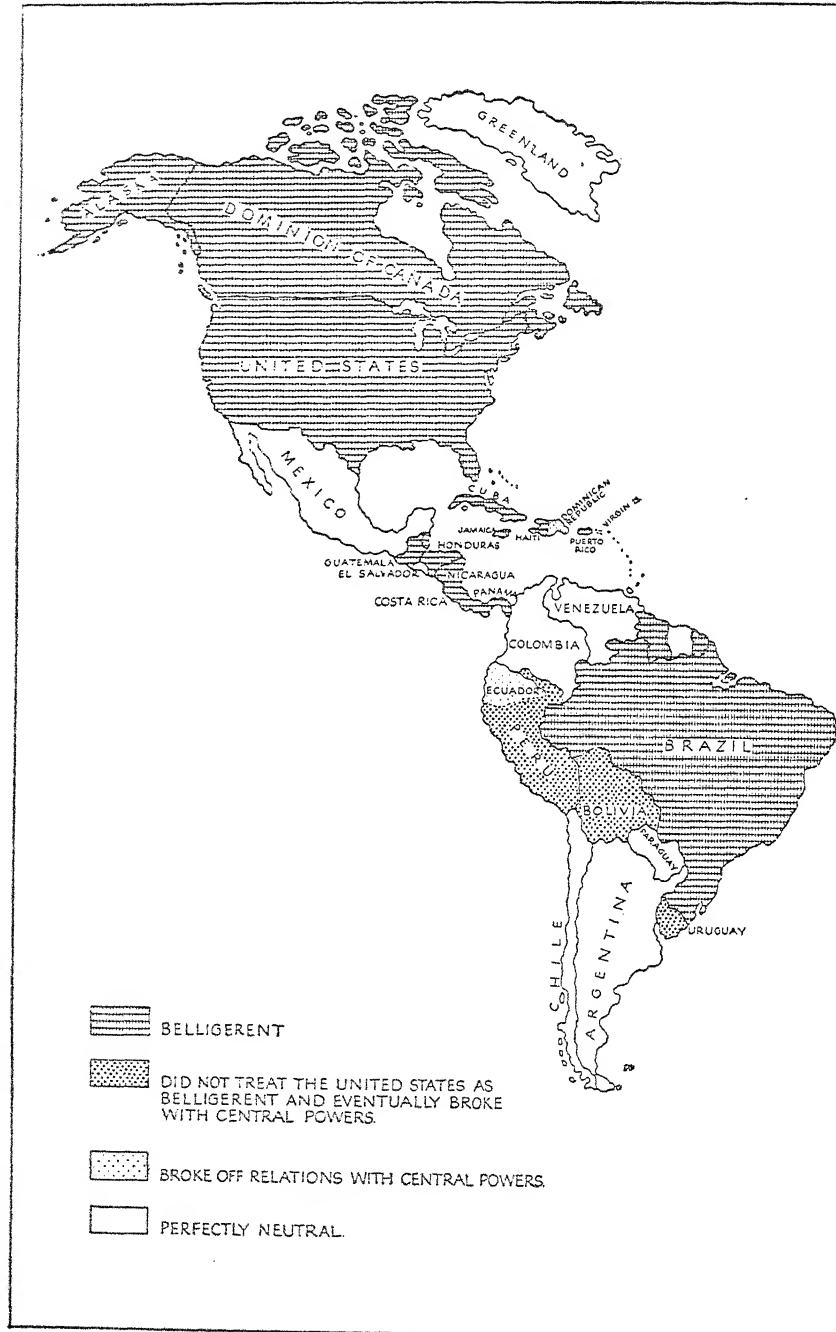
Latin America in the earlier years of Woodrow Wilson's presidency tested at once his concepts of political morality and his understanding of the fundamental interests of the United States. Valiantly he strove to combine the two. He did not find them incompatible—indeed, they are not irreconcilable—but he kept his Bible hand on the customary touchstone of American diplomacy: the security of the continental two-ocean Republic of the United States, the Panama Policy of his immediate Republican predecessors. Against his will, he too became an interventionist, the greatest interventionist of them all, but not without tempering his interventions in Mexico, Central America, and the Caribbean

with inter-American mediation and the lofty proposal for a Pan American liberty pact.

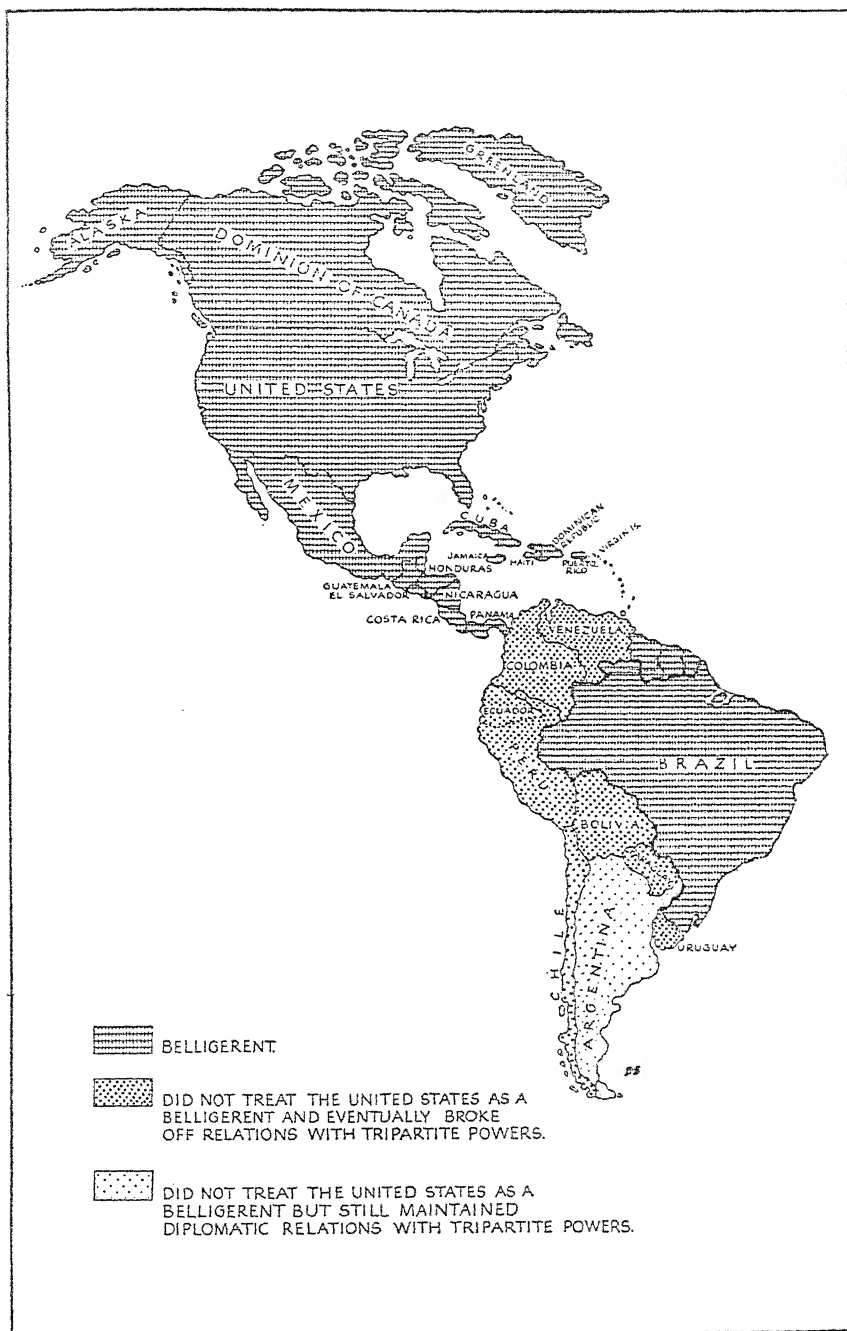
Thus Latin America served as Woodrow Wilson's proving ground for the basic principle of the League of Nations. He came to identify the continental security of the United States with that of the whole Western Hemisphere. In so doing he laid the groundwork for the present Latin American policy. After entering the First World War, in which the United States had the support, rather than the enmity, of the other republics of the New World,<sup>32</sup> Wilson tried in vain to apply the ideals of his Latin American policy, worked out in greater detail, to the world peace settlement of 1919, including the League of Nations.

The League of Nations was not Wilson's original idea, but he was its greatest champion and its real founder. Similarly, the several principles of the four articles of the proposed Pan American liberty pact may not have been original with him, but he was their greatest advocate. In the next generation most of them found their places in various inter-American instruments. Very justly the Sixth International Conference of States, upon starting its meetings at Havana in 1928, rendered a tribute "to the memory of the eminent citizen of America, Woodrow Wilson, apostle of international peace and justice."

Truly, Woodrow Wilson was the man who inspired the new Latin American policy of the United States, carried forward by his successors, and baptized by Franklin D. Roosevelt with the happy appellation, the Good Neighbor Policy. But first it was necessary to liquidate the protective imperialism which had been developed by Woodrow Wilson and his Republican predecessors. This was the task of the Republican Restoration that immediately succeeded Woodrow Wilson in the Government of the United States.



MAP 9. THE NEW WORLD AND THE FIRST WORLD WAR



MAP 10. THE NEW WORLD AND THE SECOND WORLD WAR, AS OF

FEBRUARY 1, 1943

## CHAPTER XII

### *The Republican Restoration and the Liquidation of Imperialism (1921-1933)*

#### I

THE auspicious outcome of the World War of 1914-1918, and its diplomatic aftermath in the Far East and the Pacific—the Washington treaties of February, 1922—marked the beginning of a new chapter in the Latin American policy of the United States: the liquidation of imperialism.

In 1922 the two oceans were safe. No danger of non-American intervention was in sight in the Caribbean and Central America. The principal powers of Europe accepted as a matter of course the Roosevelt Corollary to the Monroe Doctrine. They were willing and eager to look to the United States for protection of their nationals in case of domestic turbulence in those regions. In the preciously safe post-war decades an inherently anti-imperialistic nation was ready and eager to turn to disarmament and to liquidation of its political controls in the American mediterranean area, down to the bare requirements of security of the Panama Canal. Public sentiment responded more sensitively to accusations of imperialism, particularly the liberal and labor constituencies of the country. It was especially articulate in academic and cultural circles, and among women's organizations. A phase of the larger crusade for peace, it branded the imperialism of other countries as a cause of war. To overthrow imperialism and enthrone peace, its fond advocates attacked, in the strategy of example, the imperialism of the United States. They called for investigations into the conduct of occupying forces, they questioned policy, they demanded removal of marines from the occupied countries.

Responding to the new situation, it was the policy of Secretary of State Charles E. Hughes, spokesman for the foreign policy of the Republican Restoration, to liquidate the interventions of the United States in the Caribbean and Central America as promptly as political stability should seem to be established and the safety of foreign nationals reasonably assured. He was not prepared expressly to abandon the treaties permitting intervention in Cuba, Panama, the Dominican Republic, and Haiti, if not expressly in Nicaragua; nor was he willing to forsake the right of United States nationals in foreign countries to a minimum standard of justice in international law, and the legal right of intervention to secure it when denied. In this he did not differ from his predecessors, but it was his particular task, in the new frame of world politics, to convince Latin America that the Big Stick did not really mean imperialism.

In this new era Secretary Hughes repeated, at Rio de Janeiro on the occasion in 1922 of the centenary of Brazilian independence, what previous Presidents and Secretaries of State had consistently declared in more dubious times:

"You, my fellow countrymen of the United States," he said, speaking to a group of fellow citizens in that foreign capital, "know full well how sincerely we desire the independence, the unimpaired sovereignty and political integrity and the constantly increasing prosperity of the peoples of Latin America. We have our domestic problems incident to the expanding life of a free people, but there is no imperialistic sentiment among us to cast even a shadow across the pathway of our progress. We covet no territory; we seek no conquest; the liberty we cherish for ourselves we desire for others; and we assert no rights for ourselves that we do not accord to others. We sincerely desire to see throughout this hemisphere an abiding peace, the reign of justice and the diffusion of the blessings of a beneficent cooperation."<sup>1</sup>

## 2

Hughes's first step in the liquidation of imperialism was to work out a plan for the early evacuation of the Dominican Republic: as soon as public order, the security of life and property, and fair-and-free elections could be assured by the organization and training of a native constabulary, he promised that the forces of occupation would be withdrawn under a new convention of evacuation.

The military governor made these intentions known to the people of that country, in a proclamation of June 14, 1921, by instruction from the Secretary of State. He announced an eight months' period of prep-

aration to meet the required conditions and complete all necessary arrangements. This was in conformity with a policy already stated to the Dominicans under President Wilson's Administration. The period of preparation was prolonged until 1924, when the marines were withdrawn under a new treaty which confirmed the acts of the military government and secured the customs receivership and service of the bonds issued since 1907 for the economic rehabilitation of the republic. In the words of Sumner Welles, the United States Commissioner who had prepared for the evacuation, it was "the dawn of a new era"<sup>2</sup> of liberty and independence for the Dominican Republic.

Hughes next turned to the problem of Central America,<sup>3</sup> where the regional peace structure set up by the Washington treaties of 1907 threatened to collapse altogether. Following her contumacy before the Central American Court of Justice in 1916, in the case of the Bryan-Chamorro canal treaty, Nicaragua had abrogated the convention establishing that Court, after giving the required one year's notice. Since the Court had been worked into the general treaty of peace and amity of 1907, Nicaragua's abrogation pulled the keystone out of that little trial temple of peace. Central America was again on the verge of war in the summer of 1922. Only the mediation of the United States had averted a new conflict between Honduras, El Salvador, and Nicaragua. War not only would undo all the recent good works in Nicaragua, but also might jeopardize the vital proprietary interests of the United States in the canal route. It threatened to break down the whole promising movement originally initiated in 1907 by the United States and Mexico under Elihu Root's inspiration.

Through the none-too-straightforward conduct of the Republican Party the United States had repudiated the Treaty of Versailles and the League of Nations in 1921. The Harding Administration, particularly Secretary Hughes, one of the Thirty-One eminent Republican proponents of the League during the political campaign of 1920, wanted to do something for peaceful international association and disarmament, as if to demonstrate that the party had never deserted a sound idealism. First fruits of this zeal were the spectacular Washington treaties of 1922, freezing the diplomatic status in the Pacific and China and halting the naval race of the great powers, at least in capital ships. It was public opinion amidst the new security after Versailles which impelled Hughes to summon the Washington Conference for the Limitation of Armaments. He was convinced that Congress would not vote the appropriations necessary for a successful international race in naval

armaments. Following the spectacular treaties for the adjustment of Far Eastern affairs and the problem of the Pacific, Central America now presented another problem and offered another opportunity along "the pathway of peace."

Nothing would tend more to stabilize Nicaragua, and all the neighboring states, against internal disorder, and thus make it possible to withdraw the small force of one hundred United States marines remaining at Managua, than the revival of the Washington treaties of 1907, including particularly the pacts that mutually denied assistance or recognition to revolutionary governments, and also the convention establishing a Central American Court of Justice. To these agenda Hughes added his recently acquired enthusiasm for the limitation of armaments, when, at the invitation of the United States, the five republics of Central America again convened at Washington in the last days of 1922.

The Washington Conference of 1922-1923 on Central American Affairs produced, under Secretary Hughes's chairmanship, thirteen treaties between the five republics of Central America for the general purpose of conserving peace and solidarity among themselves, for disarmament, for free trade (except Costa Rica), for the study and inauguration of elaborate programs of education, labor legislation, social welfare, finances, transportation, common jurisprudence, and reciprocal rights of citizenship.

Outstanding were the conventions that established a Central American Tribunal and international commissions of inquiry into disputes between the states. In certain respects the peace structure set up in 1923 was less rigorous than that of 1907, although probably more compatible with reality. For example, the Central American Tribunal of 1923 was a court of arbitration rather than an international court of justice like that of 1907, the first of its kind in history.<sup>4</sup> The Central American Court of Justice of 1907 had provided for the settlement of all disputes between the contracting parties not adjusted by diplomacy, disputes of whatever nature, without exception; but it had no sanction to enforce its justice. Lacking that sanction, it was more prudent not to prescribe obligatory arbitration for the most vital disputes, as Nicaraguan recalcitrance had demonstrated; therefore controversies involving the sovereign and independent existence of any of the signatories were excluded from the competence of the Tribunal of 1923. The convention providing for international commissions of inquiry into disputes not settled by arbitration, nor yet adjusted by diplomacy, was even more limited in its scope: it excluded not only disputes which affected the



sovereign and independent existence of the signatories, but also those involving "national honor" or "vital interests."

These Central American arbitration and conciliation conventions of 1923 were so drafted as to invite arbitration of, or at least inquiry into, the protests of Honduras, El Salvador, and Costa Rica against alleged infringement of their rights by the Bryan-Chamorro canal treaty of 1916.<sup>8</sup> To this end the Tribunal was made competent to decide international questions which any of the Central American governments and the government of a foreign nation (presumably the United States) might agree to submit to it by a special convention. This allowed the possibility of arbitration of the recent grievance against the United States. To the convention for establishing international commissions of inquiry into disputes between the signatories the United States itself was a formal party. Depending on how individual contracting parties might interpret the excluded "vital interests" or "national honor" the conciliation treaty opened the way for investigation and report on the famous controversy caused by Bryan's canal treaty.

If these were invitations, the United States has never chosen to take advantage of them to settle the Nicaraguan canal issue by arbitration or conciliation. But in 1923 it did sign a protocol with Costa Rica agreeing, before ever proceeding to the construction of a canal by the Nicaraguan route, to negotiate with that republic a settlement of "the rights which Costa Rica possesses in the San Juan River or in Salinas Bay, and such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct a canal."<sup>9</sup> In this way diplomacy has quieted the principal litigant to the Bryan-Chamorro Treaty by agreeing to settle out of court when the time comes. We have just noted that the Washington treaties provide for the arbitration or investigation only of such disputes—of a limited nature—in Central America *as cannot be settled by diplomacy*.

The conciliation convention which we have just mentioned was really a sexpartite adaptation, somewhat watered down, of the "cooling off" principle of conciliation embodied in the treaties which Secretary Bryan had concluded with the Central American states individually,\* and with many nations, including seven other Latin American republics, in 1913 and 1914, except that the Bryan bilateral treaties had included all disputes of whatsoever nature, while the Central American multilateral treaty with the United States excluded disputes relating to "national honor" or "vital interests." This six-party convention with the Central

\* Only Costa Rica, Honduras, and Guatemala had ratified these Bryan treaties.

American states in 1923 in turn served as a prototype for the more famous Pan American conciliation convention, the so-called Gondra Convention, signed later in the year at Santiago de Chile, and ratified by the United States and all the other Central American signatories except Honduras. Like the Bryan "treaties for the advancement of peace," the Gondra multilateral convention extended to *any* unsettled dispute of *whatsoever* nature arising between the parties. The Gondra Convention of 1923 in turn became the model for the Washington inter-American conciliation treaty of 1929, and an inspiration for the latter's twin treaty, the Washington inter-American convention for the arbitration of justiciable disputes.<sup>7</sup>

The hub of these Washington treaties of 1923, about which all the others were constructed, was the treaty of peace and amity. It pledged the five republics mutually to the Tobar Doctrine, repeated in more specific detail than in 1907: not to assist or recognize revolutions or coups d'état of the Huerta type of Mexican history. They agreed not to intervene in their neighbors' affairs in case of civil wars. The signatories consecrated themselves to the constitutional principle—so salutary at least in tropical countries—of non-reelection to the office of president or vice president.<sup>8</sup> Further, each party agreed "not to intervene, under any circumstances, directly or indirectly, in the internal political affairs of any other Central American republic." This last-mentioned article was a model for a similar provision in the later famous Pan American Treaty on the Rights and Duties of States, signed at Montevideo in December, 1933, and for the special non-intervention protocol of 1936.

Although the United States was not a contracting party to twelve of the thirteen treaties, every one of them contained in the preamble this direct testimony of its tutelage and its moral responsibility (similar to the preambles of 1907, except for the absence of Mexico in 1923):

"By virtue of the invitation sent to the Government of the United States of America by the governments of the five Central American republics, there were present at the deliberations of the Conference, as delegates of the Government of the United States of America, the Honorable Charles E. Hughes, Secretary of State of the United States of America, and the Honorable Sumner Welles, Envoy Extraordinary and Minister Plenipotentiary."

These Central American treaties of 1923 were another miniature experiment in inter-American peace and solidarity worked out in a Washington laboratory, this time under the general superintendence of Dr.

Hughes, with Mr. Sumner Welles as the trained technician. The new pacts fashioned a regional precedent for that greater continental solidarity that expresses the Latin American policy of the United States today. They contain provisions, and phraseology—witness the article on non-intervention—that have come down into the present Pan American peace structure. It was Secretary Hughes's younger colleague, Envoy Extraordinary and Minister Plenipotentiary of the United States at this conference, namely Sumner Welles, who was even then arranging the details for the evacuation of the Dominican Republic, who later became a delegate to the Inter-American Conference for the Consolidation of Peace at Buenos Aires (1936), and the later meetings of foreign ministers at Panama (1939), Havana (1940), and Rio de Janeiro (1942); and a member of ancillary continuing committees, a constant adviser on Latin American policy after 1933. To him has been ascribed the elaboration if not the inspiration of President Franklin D. Roosevelt's Good Neighbor Policy. The Central American policy of the United States therefore was part and parcel of its evolving and expanding Latin American policy in the last third of a century: Root to T. Roosevelt to Bryan to Wilson to Hughes to Welles and F. D. Roosevelt and Hull.

Except for the treaty providing for a limitation of land and air armaments and the abolition of naval forces (not including coast-guard cutters), which was to last until 1929 and thereafter unless denounced with one year's notice, the treaties of Washington of 1923 were to extend to the year 1934, and beyond that year until denounced with one year's notice. They are still generally in force, with the vital exception that Costa Rica and El Salvador, after due notice, withdrew from the general treaty of peace and amity—the treaty with the anti-revolution articles—as of January 1, 1934.\* If the Washington treaties have not achieved all of the ambitious internal programs outlined in their detailed articles, at least, and this is much, they did serve to keep the peace among these little nations until they stepped into the larger Pan American peace structure set up at Montevideo and Buenos Aires in

\* The most important of all the pacts, the general treaty of peace and amity—with its anti-revolution provisions—did not outlive its stipulated term. It came to an end in 1934, after Costa Rica and El Salvador had given due notice of withdrawal; and with it collapsed the particular recognition policy of the United States in that region, a policy which had been based on that treaty and its precursor of 1907. The other subsidiary treaties of 1923 are still (1943) in force, together with a new treaty of Central American Fraternity of 1934, containing no articles forbidding recognition of revolutionary governments. See below, p. 282.

1933 and 1936. Since 1923, in fact since 1907, there has been no international war in Central America.

Some notice is now in order of the salutary effect, notably in Honduras and Nicaragua, given the moral support of the United States, of the principles of the quintuple treaty of peace and amity in mitigating for a period of years that other curse of Central American politics and life, perennial revolution.

Before the treaties of 1923 could be ratified, a defeated presidential candidate in Honduras resorted to revolution. Promptly the United States declared its intention (June 30, 1923) to follow out the policy of the new pacts.<sup>9</sup> It broke off formal relations, sent warships to both coasts of the republic, and landed marines. But instead of occupying the country, *à la* Nicaragua, after the fashion of Knox and Bryan, President Harding's Administration, under the guidance of Secretary Hughes, followed the precedent of President Wilson's ABC and ABBCGU consultations in the Mexican imbroglio. Sumner Welles entered into a conference at Amapala with delegates of the other four Central American states. They selected and recognized a provisional government for Honduras pending fair-and-free elections. Through the diplomatic efforts of the United States the newly elected and recognized government entered into an agreement in 1926 with the British bondholders that scaled down a nominal debt of \$150,000,000 to \$6,000,000, refunded for a thirty-year payment! A presidential embargo on the shipment of munitions from the United States to Honduras, proclaimed March 22, 1924, strengthened the established government's hand against revolutionary threats.

Thus did dollar diplomacy, assisted by the new spirit of the Washington treaties, score a notable success. It set Honduras steadily on its feet, politically and financially; and this without impairing its independence or sovereignty in any way, without intervention, without the installation of a Wilsonian or even a milder Rooseveltian protectorate like that in the Dominican Republic, Nicaragua, or Haiti.

Anticipating ratification of the Washington treaties,\* the United States had given notice to Nicaragua (November 14, 1923) of its intention to take away the last forces remaining in that republic, a legation guard and instructors for a native constabulary, just as soon as a newly elected government should be installed in January, 1925, following a

\* Completed in 1925. Costa Rica rejected the convention for the Central American Tribunal. Other signatories failed to ratify some of the social and juridical conventions.

free expression of the will of the people in the 1924 elections that were to be carried out under a new electoral law drafted by an American expert. In making this announcement the Department of State repeated a warning delivered to Honduras earlier in the year: that because of the new treaties no revolutionary government could hope to come into recognized authority, and that the United States would act in complete consonance and accord with the stipulations of Article II of the General Treaty of Peace and Amity, as signed by the delegates of the five Central American republics at Washington on February 7, 1923.<sup>10</sup>

A relatively fair-and-free election resulted in the victory of a coalition government under President Carlos Solórzano, inaugurated in February, 1925, and recognized by the other governments of Central America and by the United States. President Coolidge ordered the withdrawal of the last legation guard in August of that year, after postponements due to the importunities of the Solórzano Government to keep the marines in Nicaragua. The newly elected Nicaraguan President feared a revolution of the defeated party.

Withdrawal of troops from the Dominican Republic in 1924 and from Nicaragua in 1925 were the first steps in the liquidation of American imperialism. The Nicaraguan step proved premature. A revolution promptly followed, and the work had to be done all over again. General Chamorro, the same who had signed for Nicaragua the canal treaty in 1914 with Bryan and the Washington treaties of 1923, executed a coup d'état and forced a purged and subservient Congress to declare him President, giving the color of constitutionality to the procedure in the same way that Huerta had done in Mexico in 1913. Aside from all debate as to the constitutional technicalities of succession to office in these forced circumstances, this coup was directly in violation of Article II of the general treaty of peace and amity of 1923.<sup>11</sup> The United States therefore joined with Costa Rica, Honduras, El Salvador, and Guatemala in refusing to recognize Chamorro.

Again the United States intervened with armed forces, dictated an armistice between contending factions, and brought forth a provisional government, followed by the designation, in 1926 by a restored Congress, of Adolfo Díaz as President pending popular elections under a reformed electoral law. Honduras, El Salvador, and Guatemala recognized the Díaz Government, although Guatemala, close neighbor to Mexico, later withdrew her recognition. France, Germany, Great Britain, Italy, and Spain also recognized Díaz, quite in contrast to their policy toward Huerta in Mexico before the First World War.

The Belgian, British, Chinese, and Italian Governments formally requested the United States to protect their nationals in Nicaragua. Thus it was almost with an implied international mandate of non-American powers that the United States kept marines in the country to preserve order and protect the Díaz Government. Backed by a vote of 45 to 10 of the Congress in joint session, Díaz solicited a treaty of alliance to secure Nicaragua's territorial integrity and peace, and to guarantee to the United States its canal rights—in short, he again filed application at Washington for a Platt Amendment.

The international situation was perfectly propitious for the installation of such a protectorate, but President Coolidge would not go as far as Bryan had wanted to go in 1913, and Cubanize Nicaragua. He declared an embargo on the shipment of arms to Nicaragua, and suggested the same to Mexico. Mexico refused. She recognized as President the dissenting Sacasa, who as Vice President had fled the country at the time of Chamorro's coup, and had become, now with Mexican support, the political leader of the revolution—by remote control.

"I have the most conclusive evidence," declared President Coolidge in a special message to Congress on January 10, 1927, "that arms and munitions in large quantities have been, on several occasions since August, 1926, shipped to the revolutionists in Nicaragua. Boats carrying these munitions have been fitted out in Mexican ports,<sup>12</sup> and some of the munitions bear evidence of having belonged to the Mexican Government." Accordingly he permitted the Díaz Government of Nicaragua to purchase arms and munitions in the United States, directly out of the public arsenals, on long-term credit.<sup>13</sup> Not only did this revolution threaten to upset the Washington treaties, declared the President, but also it imperilled the settled policy of the United States in Nicaragua, based on the Bryan-Chamorro Treaty, and menaced the lives and property of United States citizens. "There is no question," he concluded, "that if the revolution continues, American investments and business interests in Nicaragua will be very seriously affected, if not destroyed. The currency, which is now at par, will be inflated.<sup>14</sup> American as well as foreign bondholders will undoubtedly look to the United States for the protection of their interests." Consequently, he declared his intention to use the powers committed to him, to insure adequate protection of American interests in Nicaragua, whether they were endangered by internal strife or outside interference in the affairs of that republic, and particularly to protect the proprietary interests of the United States in the Nicaraguan canal route and the implications of

that for the Panama Canal.<sup>15</sup> The President sent substantial naval units and marines—up to 4500 men and officers—to Nicaraguan waters to make good his determined announcement. Neutral zones were established to protect nationals of the United States and of European powers on the east coast and at the Pacific port of Corinto, and a detachment of marines appeared again at the capital, Managua. They were welcomed back not unjoyfully<sup>16</sup> by a distressed people confronted with the ravages of civil war and anarchy, a terror resulting from no defense of principle, no great human cause, only from the bloody politics of rival partisans in a tropical land of weak law.

It would have been the easiest thing in the world for an imperialistic power to have taken advantage of this situation to restore law and order under its own continuing suzerainty—and how many examples of such imperialism the world has witnessed within the times of men, even of children, indeed of infants now living! Even if the great majority of the bedeviled common people of Nicaragua should have welcomed such a consummation, it would never have been tolerated by the people of the United States unless as an ineluctable and hateful alternative to conquest of the strategical Isthmian republic by another foreign power. Conquest did not threaten from any quarter in 1927, although Secretary of State Kellogg feared that Nicaragua was in danger of falling into the control of Bolsheviks inspired and assisted from Mexico.<sup>17</sup> Instead of more drastic action, President Coolidge followed the suggestion of Secretary of State Kellogg, and sent to Nicaragua Colonel Henry L. Stimson, formerly Secretary of War in the Taft Administration, as a wise man to study the trouble and recommend a solution. “I want you to go down there, and if you can see a way to clean up that mess, I want you to do it.”<sup>18</sup>

Colonel Stimson very quickly perceived that the cause of Nicaragua’s political calamities was the impossibility under existing conditions, of free-and-fair elections in fact, as well as in law. He called together the leaders of the contending forces, headed by President Díaz on the one hand, and General Moncada, commander of the revolutionary forces, on the other hand, and arranged a truce. So convulsed and torn was the almost expiring republic that both leaders showed a high-minded disposition to stop the deadly strife and let the United States police a settlement. By the terms of this truce President Díaz was to continue in office until the 1928 elections, taking into the government a certain representation of the opposition; the revolutionists were to give up their arms, each man turning in a rifle to the custody of the United

States to get ten dollars from the Díaz Government; and a Nicaraguan constabulary was to be established under the instruction *and command* of United States officers (as had been done in the Dominican Republic and as was being done in Haiti) to restore law and order and ultimately make possible withdrawal again of United States forces. The elections of 1928 were to take place under the supervision and policing of United States forces and authority.

At the request of the Díaz Government, President Coolidge extended the assistance recommended by Colonel Stimson. General Frank R. McCoy, U.S.A., enforced fair-and-free elections in 1928, and a United States naval officer performed the same service in 1932. A colonel of marines again organized a Nicaraguan constabulary, officered and commanded by non-commissioned officers from the United States Marine Corps. This action and tutelage restored orderly self-government in Nicaragua, brought back peace and prosperity, and made it possible by 1931 to taper off the forces of occupation in anticipation of another full withdrawal from the country, as soon as could be possible without a breakdown.

All this took place with general satisfaction in Nicaragua, except for the followers of one subaltern *insurrecto* who refused to lay down his arms in the truce of 1927: "General" Sandino kept on fighting even after his own commander, General Moncada, had been elected President in the Liberal triumph of 1928. Denounced by the leaders of both sides, this partisan took to jungle resistance and was finally killed, treacherously, by the Nicaraguan constabulary in 1934, as he was negotiating with the President near Managua to complete arrangements for surrender. Sandino, a curse to the common man of Nicaragua, became a mythical hero to anti-Yankee polemicists in Latin America and Europe, and even to some anti-imperialist writers in the United States.

In his own account of his mission,<sup>19</sup> so impressive because of its utter sincerity, Colonel Stimson put the Panama Policy, or, as he called it, the Isthmian Policy of the United States, simply and truly: the United States had no designs on Nicaraguan territory or Nicaraguan independence; it wanted only peace and stability there, political and economic, in order that there might never be any danger to its naval communications, present or future, which were its most vital interest.



## 3

If any further example than those given above, out of the post-Versailles relations of the United States with the republics of Central America and the Caribbean, were needed to demonstrate the essentially non-imperialistic character of the Latin American policy of the United States, as epitomized in the vital Panama Policy, we find it in Mexico. This example is a negative rather than a positive one. The unfairness of those polemical writers who have attacked the United States for its alleged imperialistic appetite is revealed by their tendency to play up the action of the United States in Nicaragua and to soft-pedal the restraint exercised toward Mexico under conditions which would have brought about immediate intervention by any other great power in the affairs of such a provocative next-door neighbor, and a defaulting debtor, rich in natural resources and raw materials. Witness Korea, Manchuria, China, Algiers, Morocco, Czechoslovakia, Poland, Rumania, Greece, and Russia. In the twentieth-century world of imperialism Mexico has had a forbearing neighbor north of the Rio Grande.

While the United States fought the war with Germany, and was engrossed in the peace settlement of 1919 and the great debate of 1920 over the Treaty of Versailles and the Covenant of the League of Nations, Mexico continued in turbulence. We recall that, just before the break with Germany, Woodrow Wilson had recognized the Carranza regime, hopefully and precipitately, without insisting on any conditional settlement of outstanding issues with the United States. Meanwhile the claims of American citizens for outrages against their persons and property thickened the files of the Department of State.

At the close of the war with Germany a vociferous minority demanded intervention—and there were practiced military veterans and equipment to use for it—but this demand quieted down when the nine-year Mexican Revolution finally came to an end in September, 1920, with the constitutional election by popular suffrage of General Obregón, who had overthrown Carranza. In Washington a Senate committee, under the chairmanship of Senator Albert B. Fall of New Mexico, spokesman for the Doheny petroleum interests, which had been diligently listing and publicizing outrages and torts against United States citizens, limited itself to recommending diplomatic pressure for the security of American citizens and their property, and no recognition of the Obregón government without an accompanying agreement for set-

tlement of all outstanding issues and claims; only in case of a refusal should intervention be considered.

Wilson's Latin American policy had insisted on the consecration of a revolutionary government by a fair-and-free election under the will of the people as a condition precedent to recognition by the United States, but he had never abandoned the legal rights of American citizens. Charitably he had declined to press them decisively in the case of Mexico until that country should have passed safely through her ordeal of revolution and reform. In the national election of 1920 in the United States, which followed by a few weeks Obregón's victory at the polls in Mexico, both political parties pledged themselves not to recognize the Mexican government without a specific understanding for the adjudication (i.e., by arbitration in some form) and payment of American claims. No such arrangement was possible during the remainder of the Wilson Administration, and Obregón continued unrecognized, although he possessed the constitutional accolade of popular election.

The claims, like those of other foreigners against Mexico, were multitudinous and heavy. They consisted of an ordinary number of routine cases that had come up in the natural course of relationship since the last mixed claims commission in 1868; of a vast number of claims for damages during the revolution since 1911; of expropriations, without real compensation, of lands belonging legally to citizens of the United States, for carrying out the program of agrarian reforms; and of damages by virtue of the nationalization of petroleum deposits and concessions held by United States citizens *before* the constitution of 1917, which, as interpreted by the Mexican Supreme Court in five decisions of 1921, had reassured pre-1917 owners against any retroactive application of the nationalization which that constitution proclaimed for the future. In addition to these claims, there were the importunities of the holders of \$ Mex 1,000,000,000 defaulted Mexican government bonds.

The United States Government, having never had any hand directly or indirectly in the placement of these bonds, did not espouse officially the demands of their owners, nor did the governments of the European creditors, whose countries were exhausted by the recent war. The Hague Convention II of 1907 had forbidden the use of force for the collection of contract debts, except when arbitration was refused or frustrated. The United States did not even demand arbitration. It left the bondholders to their own representations to the Mexican Government. The European bondholders followed the lead of American bankers in long and futile negotiations with a debtor state which had come to feel that

nobody would really make it pay up. In 1922 and again in 1925 and 1933 the Mexican Government entered into agreements with an international committee of bankers to pay off its debt, with easements, but did not carry them out. Another such arrangement was made November 26, 1942, ratified by the Mexican Congress on December 23, 1942, to retire, during the period 1943-1968, \$235,000,000 of the direct bonded obligations in *pesos* (a *peso* being worth in 1942 about 20 cents U. S.). If executed this agreement will represent a loss to the bondholders of at least 80 per cent of their investment at 1942 rates of exchange.

It was Secretary Hughes's desire to make recognition of the Obregón government contingent, not upon an executive agreement to take care of these claims, but upon a solemn treaty. A succeeding Mexican government could disavow an executive agreement made by a former regime, and it was not binding on the Congress anyway, but a treaty would hold to its obligation the Mexican nation. Obregón refused this. Hughes softened. He accepted a group of executive agreements, known as the Bucareli agreements, worked out by a joint diplomatic commission in 1923, by which the Obregón government satisfied the Department of State as to the future security of American property, particularly petroleum holdings, and agreed to adjudicate before mixed commissions the various claims: a general mixed commission for the old routine claims, and a special mixed commission for the claims arising out of the revolution. Thereupon the United States recognized Obregón *de jure*.

After two years of diplomatic fencing, the Department of State, to its subsequent chagrin, accepted in a gesture of good will the designation of Latin American umpires, a Panamanian for the general commission, a Brazilian for the special commission. The United States objected to the decisions of the umpire in the special commission—he threw out altogether the formidable Santa Ysabel claims—and the United States refused to present any further cases before it. Finally in 1934 the United States agreed with Mexico, in a formal treaty, on a lump sum, to be calculated by a ratio (2.64%) based on the reality of awards in proportion to original claims as evidenced by the analogous decisions of similar mixed commissions adjudicating other foreign claims against Mexico, and to be paid in instalments by Mexico, beginning January 1, 1935, of \$500,000 annually.

The regular mixed claims commission, United States and Mexico,<sup>20</sup> labored wearily on until in 1941 the two governments concluded a convention (ratified 1942) by which Mexico agreed to pay the lump

sum of \$40,000,000 in full settlement of outstanding property claims (other than petroleum expropriations).

Hughes's fear that future Mexican governments might not respect the Bucareli agreements proved only too well grounded. The United States had enabled the orderly succession of the Calles Government in 1924 by furnishing Mexico with arms and munitions, on long-term credit <sup>21</sup> with which to put down a revolution on the eve of elections. In this case, as in the case of Nicaragua, the Republican Administrations of Harding and Coolidge went a step further than Wilson. President Wilson had embargoed the side he wished to unseat in Mexico and allowed munitions to go to the constitutional party he wished to have in power. Coolidge kept the embargo on private exports, but furnished to the constitutional side that had his approval munitions out of the very arsenals of the United States.

Notwithstanding these vital favors, the Mexican Congress passed petroleum laws in violation of the Bucareli agreements, and denied that it could be bound by them later. When the prospect of such new legislation threatened to upset the understanding of 1923, Secretary Kellogg, who succeeded Hughes in 1925, declared to the Mexican Ambassador that there were clouds in the sky of friendship. They blew up much blacker when Mexico refused to cooperate in Central America and allowed shipment of arms to the revolutionists in Nicaragua, quite conceivably some of those arms which the United States had "sold" to Obregón to ensure a peaceful and constitutional election in his own country. Clamor for intervention rose again in Washington, particularly on the part of those property owners whose legal rights were thus made sport of; but the significant, the really revealing feature of the Mexican policy, indeed of the Latin American policy of the United States, was a resolution, passed *unanimously* by the United States Senate, January 25, 1927, for the arbitration, if necessary, of all outstanding issues with Mexico. It spiked the guns of the interventionists.

After this determined expression for peace, President Coolidge turned to the same expedient he had just resorted to so successfully in Nicaragua: to send a wise and good man to look into the trouble and find a peaceful and honorable solution. At the suggestion of Secretary Kellogg,<sup>22</sup> he appointed his old college friend, Dwight W. Morrow, banker and Morgan partner, as Ambassador to Mexico. "My only instructions," said the President, "are to keep us out of war with Mexico." <sup>23</sup>

With patience and sympathetic insight Ambassador Morrow secured

from Mexico recognition of the substance of American contentions without lesion to the theory of Mexican constitutional and sovereign rights. He also persuaded the Calles Government to go a little easier with its anti-Catholic legislation, so revolting to a major constituency of voters in the United States. After a silence of three years the church bells rang again briefly in Mexico.<sup>24</sup>

Morrow's diplomacy was greatly applauded in both countries, but the controlling factor was the unanimous resolution of the United States Senate for arbitration of disputes with Mexico not settled by diplomacy.

Decisions of the Mexican Supreme Court in January, 1928, undid the violations of the Bucareli agreements, and the Mexican Congress passed an amendment to the petroleum laws of 1925 in conformity with those decisions. The Department of State then made a formal statement (March 28, 1928), just after the meeting of the Sixth (Havana) International Conference of American States, that it considered that all future questions could be left to settlement by the Mexican courts. It was a temporary triumph for friendship and conciliation on both sides, but it is difficult to believe that it would have been achieved if the United States had forsworn beforehand the right of intervention to secure justice when diplomacy and arbitration failed. Future events were to prove—following the great self-denial at Buenos Aires in 1936—that confidence in the Mexican courts was prematurely sanguine.

## 4

The Mexican policy of the Republican Restoration, most notably the Senate's unanimous resolution of January 25, 1927, was another negative step, after the positive Dominican and Nicaraguan steps, in the liquidation of imperialism. Two other most important measures of policy followed in short order, negative steps of the most positive nature, if one may speak thus paradoxically: first, the Kellogg-Briand Pact of Paris, signed on August 27, 1928, and second, the resulting official repudiation of the Roosevelt Corollary to the Monroe Doctrine.

Acceptance of the Kellogg Pact was testimony to the confidence which the United States felt in this age of apparent security for the Continental Republic. "Even without this treaty," said Secretary Kellogg to the Senate Committee on Foreign Relations, December 11, 1928, "does anybody believe that the present governments of Europe are in any position to attack any one of the South American countries and impose upon them their form of government?"<sup>25</sup>

Such indeed was the atmosphere in which the expiring Coolidge Administration took steps to repudiate the Roosevelt Corollary, which now seemed to belong to a former age of danger never to recur.

In theory at least, repudiation of the Corollary followed the Pact most logically. In the Pact of Paris the United States and nearly all the other nations of the world, including the republics of Latin America (except Argentina, Bolivia, El Salvador, and Uruguay), renounced war as an instrument of national policy and solemnly agreed that the solution or settlement of all disputes or conflicts which might arise among them, whatever their nature or origin might be, should never be sought except by pacific means. No government ever subscribed to a pledge more seriously and enthusiastically than did the United States to the Pact of Paris. Official posters displayed the text of the two momentous articles in all the post offices big and little throughout the country for the people to see, and read, and memorize, and think about. To appease the national conscience, the Republican Restoration had outcovenanted the author of the League of Nations. Such a pledge must have made Woodrow Wilson turn over in his grave, unless his spirit were beguiled by the latitudinous reservations attached to the treaty by some of the great powers.

Great Britain in accepting the pact, it is remembered, declared that there were "certain regions of the world" which constituted a special and vital interest for her peace and safety, consequently she reserved the right of defending them against any attack on the British Empire. France, in the correspondence leading up to signature of the supposedly epoch-making document, raised the question whether it prohibited resort to war for self-defense. Secretary Kellogg answered of course not; each nation was alone competent, regardless of treaty provisions, to decide whether circumstances required recourse to war in self-defense.<sup>26</sup> The United States itself did not reserve freedom of action in certain regions of the New World, which we have discussed so persistently throughout this book, as essential to the security of the Continental Republic. But in a contemporary declaration to the Senate Committee on Foreign Relations, December 7, 1928, most distinctly not a reservation to the treaty, Kellogg affirmed: "The Monroe Doctrine is simply a doctrine of self-defense."<sup>27</sup>

Secretary Kellogg's definition of self-defense, we may suspect, threatened to get him into an unexpected difficulty, because every administration since Theodore Roosevelt's time, up to but not including Secretary of State Charles E. Hughes, had accepted the Roosevelt Corollary as

a part of the Monroe Doctrine. Hughes had taken pains, in public addresses, to disclaim any right of intervention or protection in any American republic, under the Monroe Doctrine.<sup>28</sup> But he upheld the right of at least "temporary interposition," notably as head of the United States delegation at the Sixth International Conference of American States, at Havana early in 1928.<sup>29</sup> He did not derive it from the Monroe Doctrine. He had got it from "international right and national security as freely as if the Monroe Doctrine did not exist."<sup>30</sup> But since Mr. Hughes had left the office of Secretary of State, Colonel Stimson, who settled the Nicaraguan turmoil with full authority from the Department and the President, had publicly endorsed the Roosevelt Corollary as an article of faith.<sup>31</sup> And Sumner Welles, in his long and notable book on the Dominican Republic, praising the "preventive" policy of Root and Hughes as contrasted with the "remedial" policy of Knox and Bryan, had extolled the New York statesmen in strong accents on the Roosevelt Corollary. "That corollary to the Monroe Doctrine," he concluded in this volume which came out in the very year of the Kellogg Pact,<sup>32</sup> "has now unquestionably become a portion of the established policy of the United States." President Coolidge had allowed Welles to drop from the diplomatic service,<sup>33</sup> but the Latin American trouble-shooter's book was not to be taken lightly. In view of these very recent authoritative expressions of opinion, it certainly was at least doubtful whether former Secretary Hughes's speeches had fully exorcised the Roosevelt Corollary from the traditional Monroe Doctrine.

Did Secretary Kellogg, then, in saying that the Monroe Doctrine signified self-defense of the United States, mean that the United States reserved the right to use armed force for the maintenance of the Monroe Doctrine, including the Roosevelt Corollary? That is, did he suggest that it had a right under that Doctrine to intervene in a strategical Latin American country if necessary to preserve political and economic stability and thereby remove justification for non-American intervention? Was such intervention any longer necessary, or even possible, now that the nations had pledged themselves to the Pact of Paris, not to mention the League of Nations? Clearly the Roosevelt Corollary still stood in the way of the professions of the United States in this new covenant, of Kellogg's own handiwork, outlawing war and pledging the peaceful settlement of all disputes.

As if to forestall any embarrassment arising from these questions, Secretary Kellogg had put J. Reuben Clark, Jr., Undersecretary of State, at work on an historical exegesis of the Monroe Doctrine to prove

that the Roosevelt Corollary was not really a legitimate offspring of the principles of 1823. In two months' time, during such periods as he could snatch from other urgent official duties, Clark prepared his celebrated *Memorandum on the Monroe Doctrine*, transmitted to the Secretary of State on December 17, 1928. Replete with passages from state papers, mostly culled from John Bassett Moore's *Digest of International Law*, and *Digest of International Arbitrations*, the Undersecretary came quickly and plausibly to the conclusion that "it is not believed that this corollary is justified by the terms of the Monroe Doctrine, however much it may be justified by the application of the doctrine of self-preservation."<sup>34</sup> This brief substantiated the interpretation of Hughes: it repudiated the Corollary but preserved the right of intervention. Meanwhile the Pact of Paris had limited the right of intervention.

With the Washington inter-American treaties of conciliation and arbitration of 1929, as capstones of Latin American policy under Coolidge and Kellogg, it will be more convenient to deal in Chapter XIV.

Herbert Hoover completed the foundations for Franklin D. Roosevelt's Good Neighbor Policy. Between his election and his inauguration he made a trip to the principal countries of South America for the purpose of better understanding their relations with the United States. One consequence of this was personal understandings reached with the political leaders of Chile, Bolivia, and Peru, that resulted in a diplomatic settlement of the long-standing Tacna-Arica dispute which previous good offices of the United States had failed to settle, through the administration of a plebiscite to determine sovereignty over the disputed territory.<sup>35</sup>

Another result, interesting to us at this point, was Hoover's determination to bring the remnants of United States imperialism to further liquidation by the withdrawal of all forces from Nicaragua and Haiti, following the recent commitments to the Kellogg-Briand Pact of Paris of 1928 and signature of the Washington inter-American treaties of arbitration and conciliation of 1929. Under his orders, the last marines left Nicaragua in January, 1933. The Hoover Administration did not exercise treaty rights to intervene: in Panama, on the occasion of a revolution in 1931; in Haiti, when that government defaulted on amortization service of its dollar bonds in the same year. After investigation and recommendation by a special commission sent to Haiti, President Hoover announced that the remaining United States military forces would be evacuated in the year 1933. After negotiating a new "ac-



cord" in 1933 in the form of an executive agreement, replacing an unratified treaty negotiated by Hoover, President Franklin D. Roosevelt carried out his predecessor's promise in October, 1934.

Colonel Stimson, former advocate of the Roosevelt Corollary and friend for many years of the Rough Rider, became Secretary of State under President Hoover. It now became Stimson's duty to proclaim the official repudiation of the famous Corollary which so recently he had commended to his countrymen as the soundest of policies. The disclaimer appeared in the publication in 1930 of the Clark Memorandum as an official Department of State document. Public addresses of Secretary Stimson and the Undersecretary of State, William R. Castle, Jr., reinforced in the public mind this new step of policy. Stimson declared: "The Monroe Doctrine was a declaration of the United States versus Europe—not of the United States versus Latin America."<sup>36</sup> Castle explained that the Monroe Doctrine "conferred no superior position on the United States."<sup>37</sup>

Application of the Clark Memorandum to the Latin American policy of the United States, and preparation for the evacuation of Nicaragua and Haiti, were not the only steps taken by the Hoover Administration in reforming the Latin American policy of the United States. At the outset Hoover repeated what Theodore Roosevelt and other Presidents since 1905 had declared: "It has never been and ought not to be the policy of the United States to intervene by force to secure or maintain contracts between our citizens and foreign States or their citizens."<sup>38</sup> In 1932 a revolutionary government in El Salvador, not recognized by the United States, defaulted on its dollar bonds; and the Department of State refused to support the American bankers in enforcing their private contract which called for a customs receivership; that is, it abstained from intervention *à la* Dominican Republic, Nicaragua, and Haiti. During the lifetime of the Central American treaty of peace and amity—to 1934—the United States still continued, however, to give moral support to the article against revolutions in that particular region, and refused to recognize the Salvadorean *de facto* regime, even though the other Central American states were weakening on this score. But in the wider sphere of Latin American relations Hoover abandoned Woodrow Wilson's policy of using nonrecognition as a sanction against the installation of unconstitutional revolutionary governments. Secretary Stimson announced (June 6, 1932), anent a revolution in Chile, that while the United States would adhere to the principles of the Washington treaties of 1923 in refusing to recognize revolutionary governments

thrown up in any of the five republics of Central America, it would return to the traditional policy of basing recognition of new governments in other parts of the world, including South America, on *de facto* control of the country and ability to fulfill international obligations.<sup>39</sup>

## 5

A further expression of Latin American policy developed very naturally from the "Stimson Doctrine," *alias* the "Hoover Doctrine," provoked by the critical Far Eastern situation. The United States had co-operated with the League of Nations in protesting Japan's invasion of Manchuria, which was a violation of the Nine-Power Treaty of 1922, and of the Kellogg-Briand Pact of Paris, as well as of the Covenant of the League. On January 7, 1932, Secretary Stimson issued his famous caveat to China and Japan, declaring that the United States did not intend to recognize any situation, treaty, or agreement which might be brought about by means contrary (among other things) <sup>40</sup> to the covenants and obligations of the Pact of Paris of August 27, 1928, to which treaty both China and Japan, as well as the United States, were parties. This was later (March 11, 1932) repeated in essence by the Assembly of the League of Nations: "it is incumbent upon the members of the League of Nations not to recognize any situation, treaty or arrangement which may be brought about contrary to the Covenant of the League of Nations or to the Pact of Paris." Refusal to recognize legally the fruits of force did not stop Japan from tasting them and taking them; in fact, empty protests of the nations placed the world in a succession of woeful events. After Manchuria an odious procession of ugly issues leaped out of our planet's Pandora's box of evil, the lid of which had loosened in 1932: Abyssinia, the Rhineland, Spain, Austria, Munich, Prague, and European war in September, 1939.

However impotent the "Stimson Doctrine" may have been against evil acts in the Old World, the Secretary of State was repeating the essence of an old Pan American formula.<sup>41</sup> Later in the year he had occasion to apply it to the New World, anent the Chaco War in South America.

Bolivia and Paraguay, neither of whom were parties to the Pact of Paris, nor to the League of Nations, became engaged in distressing hostilities originating in the disputed Chaco area. The United States and four Latin American nations (Colombia, Cuba, Mexico, Uruguay) became involved in long and complicated peace maneuvers undertaken by

an inter-American Neutral Commission, at the initiative of the inter-American Conference on Arbitration and Conciliation of Washington in 1929. When these efforts reached a stalemate, the United States and eighteen other republics of the New World—all of them except Bolivia and Paraguay—in the Declaration of August 3, 1932, invited the two belligerents to arbitration or conciliation, and then solemnly stated:

"The American nations further declare that they will not recognize any territorial arrangements of this controversy which have not been obtained by peaceful means, nor the validity of territorial acquisitions which may be obtained through occupation or conquest by force of arms."

We shall have occasion in a later chapter to observe further the significance of the Chaco War, and the Declaration of August 3, 1932, as the background of the Argentine Anti-War Pact and the Pan American Conference at Montevideo in 1933.

## 6

In years of continental security, between the First World War and the rise of Hitler, the Republican Restoration had very largely liquidated the protective imperialism of the United States, down to the bare strategical requirements of the Panama Policy. It had done this in an age when the Old World quite willingly acquiesced in continuance of the military occupations, when the European powers were actually requesting the United States to protect their nationals and property in Mexico, Central America, and the Caribbean region. But the United States governed itself not by the requests and interests of the Old World, rather by the susceptibilities and regards of the New. Instead of taking advantage of an implied mandate, the "Colossus of the North," more powerful than ever after the victorious war of 1917-1918, had seized the occasion of apparent safety to withdraw its forces and to make friends with the sister republics of the Western Hemisphere. This policy met full public approval; in fact, public opinion of a non-imperialistic people dictated it.

War had been renounced as an instrument of national policy, the Roosevelt Corollary had been exorcised officially, the stolen fruits of force had been placed beyond the pale of legality, and imperialism had been plausibly liquidated; but the right of intervention, direct or indirect, still remained in international law as a means of self-preservation, to protect nationals, to secure justice, particularly when arbitration

was refused; and Wilson's nonrecognition policy still struggled, morally supported by the Washington treaties of 1913, to survive at least in relation to the Central American republics.

It will now be our interest to observe how the United States came finally to bind itself, by most solemn multilateral treaties and declarations, not to intervene by itself alone, directly or indirectly, or for whatever reason, in the internal or external affairs of any other American state.

## CHAPTER XIII

### *The Doctrine of Nonintervention and the Codification of American International Law (1890-1917)*

ONE of the most significant influences on the Latin American policy of the United States in our times has been the movement for the codification of an American international public law. It is a highly technical subject, little known to the layman, not to mention the student of history. Only recently has the average enlightened citizen awakened to the significance of a comparatively obscure diplomatic movement which has bound the Republic of the North to the unqualified Doctrine of Nonintervention. In this and the following chapter we shall have to trace in some detail the evolution of this vital subject, as a basis for our complete understanding of the Good Neighbor Policy.

The Doctrine of Nonintervention is a new doctrine of distinctly American origin, still not accepted in its entirety by the great powers of the Old World. Before the American republics abolished the right of intervention among themselves, it is fair to say that international law recognized the right of one state to intervene in the affairs of another state under the following circumstances or conditions: (a) for self-preservation or self-defense, "a necessity . . . instant, overwhelming, leaving no choice of means, and no moment of deliberation," (b) as an empowered mandatory for collective civilization acting under multilateral treaties, (c) after all justice has been denied to nationals of one country being mistreated in a foreign country, including refusal of an offer of arbitration, (d) in case of the disappearance or effective breakdown of all government, law and order, so that there is no organ of protection to which a foreign government can appeal on behalf of its nationals, (e) at the invitation of a state, (f) upon the stipulation of treaties between the parties.

It is doubtless difficult to justify the interventions of the United States,<sup>1</sup> following the Spanish American War, on strictly legal ground. Including the case of Panama—for which the United States later paid a reparation to Colombia—the original purpose of these interventions (the Dominican Republic, Nicaragua, Haiti) was strategic: to forestall European interventions. Neither the preventive character of this protective imperialism nor the missionary spirit under which it was later extended into military occupation prevented mistrust by the other republics of the New World. Even if it is more difficult to justify these interventions on legal ground than before the bar of history, the truth remains that there has been a right of intervention—i.e., approved intervention—in international law. How did the United States finally come to give up in 1936 not only the policy of intervention (which it exercised under its own responsibility in the above mentioned instances), but also the right of intervention under international law which all other great powers have held in reserve for the protection of their nationals? This question will engage our attention in this and the following three chapters.

The history of the principle of nonintervention is a highly significant chapter of the diplomatic history of the United States which deserves more extensive historical research than it has yet received. The Doctrine of Nonintervention came into being from two fountain-heads: (1) the foreign policy of the United States; (2) the evolution of native Latin American principles of jurisprudence which resisted not only non-American interventions but American interventions in the New World, which denied the *right* of intervention. The Doctrine of Nonintervention is thus altogether a New World product. Before considering the Latin American impulse to the doctrine, let us examine briefly the contributions of the United States.

The foreign policy of the United States contributed heavily to build up the Doctrine of Nonintervention, in the following ways: (1) the Monroe Doctrine itself, little more than a pronouncement before 1865, but since then an effective obstacle to European intervention, as attested on specific occasions; (2) the very character of the North American interventions themselves, which, however mistrusted by some Latin American neighbors, were principally strategic actions intended to forestall European intervention without extinguishing the independence of the states in which the United States intervened; this character can be established by the history and liquidation of those interventions; (3) by championing, subject to one vital qualification, the doctrine sub-

mitted during the Venezuelan crisis of 1903 by the Argentine statesman, Dr. Luis M. Drago, that "the public debt cannot occasion armed intervention nor even the actual occupation of the territory of American nations by an European power," and subscribing to that principle at the Hague Conference in 1907, (4) by pursuing in general on its own part, particularly during the last generation and since the outbreak of the Mexican Revolution, a policy of leaving bondholders of defaulted Latin American governments to the risk and mercy of their sovereign debtors. But at no time before 1936 did the United States entirely abandon the *right* of intervention as commonly understood in the law of nations.

We must at this point note particularly the Drago Doctrine. At the Hague in 1907 the United States supported the policy of Dr. Drago, with the qualification that no recourse to force for the collection of "contract debts claimed from the government of one country by the government of another" should be permissible until an offer of arbitration had been refused, or an arbitration frustrated.

The proposal of the United States, embodying substantially the Drago Doctrine, subject to the requirement of arbitration, was accepted by the Hague Conference, in the form of Convention II, Article I:

"The Contracting Powers agree not to have recourse to armed force for the recovery of contract debts claimed from the Government of one country by the Government of another country as being due to its nationals.

"This undertaking is, however, not applicable when the debtor State refuses or neglects to reply to an offer of arbitration, or, after accepting the offer, renders the settlement of the *compromis* impossible or, after the arbitration, fails to submit to the award."

The same convention provided for a procedure of arbitration according to the Hague convention for the pacific settlement of international disputes, i.e., by a tribunal of five jurists: each party to select two, of whom only one could be its national or chosen from among persons selected by it as members of the Hague Permanent Court of Arbitration, and the arbitrators together to choose the umpire. Such a tribunal would be adequately representative of the backgrounds of jurisprudence represented by both parties. It would not necessarily be overweighted, for example, with Latin American jurists. The Conference rejected an amendment proposed by Dr. Drago himself, of the Argentine delegation, which would have required that recourse must first be had to the courts of a debtor state, and would have permitted a demand for arbitration only in case of a denial of justice. Says the English authority,

Dr. A. Pearce Higgins: "The rejection of this amendment was due to the existence of states whose judiciaries are imperfectly organized and in which it was common knowledge that even in cases where a creditor could in theory sue in the courts of the debtor state, he had no prospects of success, whatever the intrinsic merit of his claim."<sup>2</sup> This condition of affairs has not disappeared in some of the Latin American states of today.

The United States ratified this Hague Convention II with the reservation that any arbitration before the Hague Court could be only by agreement thereto through general or special treaties of arbitration, which, of course, must have received the approval of the Senate. All the great powers, except Italy, ratified it. It is highly significant that, despite the advance which the convention signalized in the Doctrine of Nonintervention, not a single South American republic ratified it. Only Mexico, Panama, Guatemala, Nicaragua, Haiti, and El Salvador ratified, and of these only Panama and Mexico without reservation. Panama owed its existence to the wholly arbitrary intervention of the United States in Colombian affairs. Mexico was then under the rule of Porfirio Díaz who conceived justice to foreign contractors to be essential to the progress of the nation. Following the revolution of 1910-1920, Mexico, in 1931, denounced the convention according to Article 6 which allows withdrawal after one year's notice; and at the Eighth International Conference of American States (Lima, 1938) the Mexican delegation presented a draft resolution, not accepted by the Conference, recommending the denunciation of the convention by the few American states that had ratified or adhered.<sup>3</sup>

The refusal of all of the South American states, and most of the other Latin American states, to accept Hague Convention II was due to their reluctance to admit the implied obligation to arbitrate and the right of intervention in case of a refusal to arbitrate. This fear of arbitration is easily explained by the unstable political history of the region.

Latin America, because of conditioning geographical and climatic reasons, has been a region of mixed racial composition (except in the Argentine Republic and Uruguay), of retarded industrial development, low crop-yield (in many republics) with resulting consequences on diet and all its physiological and psychological implications for human energy, social development, and political stability. For progress in modern civilization these countries have had to depend upon the importation of foreign capital and energy, first from Europe, and, in the twentieth century particularly, from the United States as well, recently a little



from Japan. The nations themselves have recognized this by their government contracts with foreign nations, for public loans and for public works, and by concessions contracting with foreigners for the exploitation of natural resources or the operation of public services. Similarly the United States and Canada have been receiving-areas for foreign capital, energy, and skill. But the very factors which require the importation of foreign capital, energy, and skill, have conspired to produce political instability at various periods of the history of the republics of Latin America, and for their contractual irresponsibility. The history of Latin America is notoriously full of revolutions and defaults on state contracts, particularly after revolutions. In recent years some states have seized foreign property without full compensation, in which cases grave charges of denials of justice have arisen.

The concept of the sovereign immunity from external intervention, no matter what the state's degree of political stability or the quality of its courts, stems from the Argentine jurist, Carlos Calvo, whose treatise on international law first appeared in the year 1868, just after the Argentine Republic was recovering from a period of intense political turbulence. Calvo's work rested on the principle of the absolute equality of sovereign states. Admitting that his principle imposed the same duties as well as the same rights on all states, this famous publicist maintained that the complete independence of the legislature and judiciary of every state must be recognized. From this flows the conclusion that the courts of the country are not subject to appeal in cases where the rights of foreign nationals are involved. Even Calvo admitted that there were cases where "interposition" rested upon an incontestable right.<sup>4</sup> Calvo is the learned jurist whose name is associated with the so-called Calvo clause, inserted by most Latin American governments in contracts with foreign nationals, which stipulates that in case of any doubts or disputes arising out of the contract, the foreign party to the instrument agrees that they shall be settled by the courts of the country, and forswears the right to appeal to his own government for the defense of his rights. Some of the republics, like Venezuela, have a constitutional prohibition of recourse by aliens to the protection of foreign governments, or, like Peru, a constitutional requirement for a Calvo clause in all public contracts with aliens. Ever since Calvo's time, it has been the tendency of Latin American jurists to assert that foreign claims need not be taken beyond the courts of the country, even when denial of justice is alleged, that is, that they need not be submitted to international arbitration.

The historic abuse of the right of intervention by foreign governments, particularly European governments, in dealing with Latin America, partially explains the increasing reluctance of jurists in those republics to accept the legality of intervention under any principle, but it is a confession of mistrust in the general impeccability of their courts, measured according to minimum standards<sup>5</sup> of international justice, both substantive and procedural, which makes them shrink from the real test of justice: willingness to arbitrate when there is an international dispute about the denial of justice. Even states which have had for some years records of complete stability and responsibility have an historical background not too remote, which makes their governments instinctively shy away from commitments to arbitration of disputes over contract debts or expropriation without just compensation; it is still not impossible that a revolution may bring into power suddenly some irresponsible radical who might, appealing to latent xenophobia, upset the courts, or pack them, or exclude foreign cases from them, or intimidate native lawyers seeking to represent them in the courts of the country, or otherwise make justice for foreigners impossible, refusing, of course, to arbitrate. Such an overturn—and these things have happened even in our day—might conceivably create a real justification for intervention.<sup>6</sup> And history shows that foreign intervention does not always stop with a mere enforcement of justice in the particular denial that has caused the intervention.

I am speaking, so far, of the jurists and their sincere arguments against agreement to arbitrate foreign claims on contract debts, when it is claimed that justice is denied. In addition to this instinctive position, there is also an argument, so devoid of respect that it is never openly voiced, and much the less by reputable publicists, for absolute nonintervention which appeals greatly to unscrupulous political leaders, namely, that under cover of this doctrine, it may be possible with impunity to violate any or all the rights under international law or domestic law, of foreigners living within the country. In a continental region of twenty Latin American republics, it is not unlikely that sometime or other, given the conditioning geographical and climatic factors already mentioned, there will be some one or more republics under the sway of such unscrupulous politicians—men who do not represent the real enlightened public opinion of the country which they dominate, not to mention the enlightened opinion of the New World in general. There is also an increasingly articulate opinion, on the part of those republics in which a long suppressed aboriginal element of the population is now

coming more and more to enjoy respect and power, that they are unjustly exploited by foreign capital and may, therefore, justly appropriate it for themselves as an act of social revolution. This is a tendency particularly evident in those countries with a large aboriginal population base which presents a medium of political appeal not only for sincere and thoughtful men but for unscrupulous demagogues as well.

All these considerations explained the popularity of the principle of absolute nonintervention as advanced by Latin American jurists since Calvo's time. We may now briefly review the progress of this drive, which was embodied in a movement for codification of an American system of international law—as distinct from universal or global international law. For this purpose the Latin American states, with the active help of the Carnegie Endowment for International Peace (established, 1910), and (after 1933) of organized labor in the United States, have successfully mobilized the forces and the machinery of the Pan American movement.

During the nineteenth century, proposals for the codification of an American version of international law took the form of conferences for agreement upon private international law, or as the Latin Americans call it, the conflict of domestic laws of different states. Quite inevitably the United States has always declined to participate in such labors, because of the great and fundamental difference in the English common law and the Roman civil law, and further because these matters mostly concern state rather than federal law in the United States. These differences make codification of international private law extremely difficult with states which derived their domestic law from principles of Roman jurisprudence, and which have full national definition of their internal law. International conferences for this purpose took place, however, in Latin America, the last one (before the assembly of the first Pan American Conference—i.e., International American Conference—at Washington in 1889) at Montevideo in 1888-1889, which got so far as to draft at that early date eight projected treaties for uniform rules for international private law.

The committee on international law at the first International Conference of American States (Pan American Conference) of 1889-1890 was also empowered to consider the subject of arbitration of disputes and differences, and under this head accepted for consideration a proposal made by a Venezuelan delegate denouncing diplomatic representation for the support of claims of foreign nationals. This committee was composed of one delegate each from the Argentine Republic, Chile,

Ecuador, Guatemala, and the United States. A majority report, of the four Latin American members, contained a resolution by which the International American Conference would recommend to the governments of the countries therein represented "the adoption, as principles of American international law, of the following:

"(1) Foreigners are entitled to enjoy all the civil rights enjoyed by natives; and they shall be accorded all the benefits of said rights in all that is essential as well as in the form or procedure, and the legal remedies incident thereto, absolutely in like manner as said natives.

"(2) A nation has not, nor recognizes in favor of foreigners, any other obligations or responsibilities than those which in favor of the natives are established, in like cases, by the constitution and by the laws."

William Henry Trescot, a delegate of the United States, presented a minority report of this committee to the 1889 conference. He objected to the term "American international law."

"There can no more be an American international law [he said] than there can be an English, a German, or a Prussian international law. International law has an old and settled meaning. It is the common law of the civilized world, and was in active recognized and continuous force long before any of the now established American nations had an independent existence. We accepted it as one of the conditions of our recognition, and we have no right to alter it without the consent of the nations who really founded it and who are and must be to-day, notwithstanding our increasing power and consequence, large and equal factors in its maintenance.

"I of course recognize the right of any one nation or combination of nations to suggest such amendments and improvements as the progress of civilization renders advisable, but to make such changes a part of international law requires the consent of the civilized world." Turning to the proposed resolution, he admitted, "with serious reservations, that the resident foreigner in all contracts with private natives and in relation to violations of municipal law has no right to ask more protection than is given to the native citizen. But even here there is the underlying assumption [which Mr. Trescot challenged] that what is granted by native law and procedure, what is given to the native citizen, is substantial justice. If under any peculiar law, *under any absolutism of procedure*, under any habit or usage of traditional authority to which natives are accustomed and willing to submit, the native process or judgment does not afford this substantial justice, the right of the foreigner to such substantial justice would be nevertheless complete, and how can it be assured to them? But if this be so even in cases of private contention, how is it with the cases where the reclamation of the foreigner is against the Government itself?

"Into what court will the Government allow the sovereignty of the nation to be called to answer its responsibilities to the claimant and how is its judgment to be enforced?" 7

The conference adopted the majority report of the committee by a vote of 15 to 1, the United States voting negatively. This recommendation, of course, had no binding force on anybody, and really there was no necessity of recommending to individual Latin American republics the adoption of these principles as "American international law"—they had already done so, or were in the process of doing so. The problem for the Latin American nations was to *apply* them as principles of international law by getting the United States to assent to them. Nevertheless, the "recommendation" undoubtedly gave prestige in the New World to these novel principles, despite the dissent of the United States.

It is worth observing at this point that the first subject to be considered in any Pan American deliberation on "American international law" was this principle of denial of the right of diplomatic protection to foreigners residing in an American republic. It is the Latin American ultimate conception of nonintervention. It has been the real objective of the subsequent efforts of those states for codification.

Accompanying the movement for codification of international law there has run through the Pan American conferences a demand for international arbitration, which first appeared in the signature in 1890 at Washington of a multilateral convention signed by some of the states, including the United States, but never ratified by the signatories. At the Second Pan American Conference in Mexico, however, in 1902, the states adhered to the Hague Permanent Court of International Arbitration of 1899, which afforded the means for voluntary arbitration. Further, nine of them (Argentina, Bolivia, Dominican Republic, Guatemala, Mexico, Paraguay, Peru, El Salvador, Uruguay) signed a five-year treaty agreeing to submit to arbitration by the Hague Court all claims for pecuniary loss or damage presented by their respective citizens and which could not be amicably adjusted through diplomatic channels, and which claims were of sufficient importance to warrant the expenses of arbitration. The United States was not one of the original signatories, but it joined eight other republics (Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Peru, and El Salvador) which ratified the convention. This treaty was renewed for five years in 1906 at the Third Pan American Conference at Rio de Janeiro. At Buenos Aires in 1910 the Fourth Pan American Conference substituted for it a new treaty embodying the same principles, to continue in force indefinitely unless denounced by any party with a two years' notice. Today the following nations are parties to the treaty: the United States

of America, Brazil, Costa Rica, Dominican Republic, Ecuador, Guatemala, Honduras, Nicaragua, Panama, Uruguay.<sup>7</sup> At the time of its origin this treaty was a great step ahead in the development of non-intervention. Its most noteworthy feature, from the point of view of our interest here, is that it provided for the arbitration of disputes not by a tribunal with a majority of Latin American judges, but by the Hague Tribunal. Such a tribunal would apply universal rather than regional principles of international law. It would be likely to decide a pecuniary claim involving a Calvo clause rather differently than would a Latin American majority of judges. In 1902 when the pecuniary claims convention was first agreed on by approximately half the American republics—and it still remains in force among half of them—there was very little agreed code of international law to guide the Hague Permanent Court of International Arbitration.

The first proposal for the codification of a system of public international law to prevail among the nations of the New World was made by the delegate of Brazil at the Second International Conference of American States (Pan American Conference) at Mexico in 1902. He presented a resolution by which the executive committee of the Pan American Union would name a commission of seven jurists, five from American nationalities, and two Europeans, charged with the duty of drawing up a code of private international law and a code of public international law "to govern the relations between the American republics"—these codes to be printed and submitted for the criticism of the several governments in order that they might make such suggestions as they deemed advisable. The committee of jurists was then to classify the suggestions and revise the codes in conformity with them, after which the revised codes were to be submitted to the governments of the American republics to be adopted by those who might desire to do so, either in the next American International Conference or by means of treaties negotiated directly.<sup>8</sup> At this time there was no specific mandate for a code of "American international law," although the proposed commission was to be weighted five to two with American jurists; presumably at least one of these would be from the United States, which would have given the committee a bare majority of Latin American jurists. Such a committee would not be so likely to legislate rather than codify international law. We must remember that this was before much codification of international law had been established anywhere. This Brazilian proposal was a first step toward the codification of international law to prevail at least among the American republics, in

advance of the rest of the world. Not ratified, the treaty never became operative.<sup>10</sup>

At the Third Pan American Conference at Rio de Janeiro in 1906 the representatives of the various republics signed another convention setting up a commission of jurists to meet in that city, to be composed of one representative from each of the signatory states, each state to have one vote<sup>11</sup> in the drafting of codes of international public and private law. The convention enjoined the Fourth Pan American Conference (scheduled for Buenos Aires in 1910) to embody the drafted codes thus anticipated from the hands of the jurists, in one or more treaties, and to endeavor to secure their adoption and ratification.<sup>12</sup>

The American as distinct from the global character of this commission, is evident from the sources for codification to which the convention directed the particular attention of the jurists, as well as in the exclusively American composition of its members: "They shall give special attention to the subjects and principles which have been agreed upon in existing treaties and conventions, as well as those which are incorporated in the national laws of the American States," with special attention "to the treaties of Montevideo of 1889 \* and debates relating thereto, as well as the projects of conventions adopted at the Second International Conference of American States held in Mexico in 1902, and the discussions thereon; *also all other questions which give promise of juridical progress, or which tend to eliminate the causes of misunderstanding or conflicts between the said States.*" This last clause, here italicized, invited the proposal of any judicial innovation.

Notwithstanding this gateway for *legislation*, as well as codification, of "American international law," and despite the fact that in such a commission of jurists the United States would be hopelessly outnumbered, conceivably twenty to one, by delegations of Latin American jurisprudence, the United States ratified this treaty promptly, but slowness of the other signatories in ratifying delayed the convention in coming into force until 1911. So the codes were not ready, as originally anticipated, for consideration by the Pan American Conference at Buenos Aires in 1910. Nevertheless, the matter came up for discussion there. Doctor Alejandro Alvarez, speaking for the Chilean delegation, favored not only the codification of international private law and international public law, but also the separation of principles of universal application from those of American application, the former to be presented in a

\* These concerned the codification of private international law.

separate code at the next (third) <sup>13</sup> Hague Conference.<sup>14</sup> To this geographical separation of spheres of international law, Mr. John Bassett Moore, of the United States delegation, took exception as Trescott had done at Washington in 1890.

The proceedings of the Pan American Conference at Buenos Aires record no action taken upon the Chilean resolution. Meanwhile the Second Hague Conference of 1907 (to which, on the proposal of the United States, the American republics were all invited) and the London Naval Conference of 1909 had made great advances in the codification of international law, despite faulty ratifications of the agreements by the nations that had participated. Never in the history of mankind had the world witnessed such progress in the codification of international law, not from a restricted regional, not from a hemispheric point-of-view, but from a universal purview. The United States Senate approved the great bulk of the Hague Conventions of 1907, also the Declaration of London, but in the latter case the President withheld final ratification of that code of the law of naval warfare because of the failure of Great Britain to ratify.

The Hague codifications, notably Convention II (not ratified by the South American republics), had set up a barrier to intervention for the collection of contract debts of a state that was willing to arbitrate any such dispute and loyally to carry out the arbitration. The United States had further advanced the cause of arbitration by ratifying a series of five-year bilateral treaties agreeing to arbitrate disputes that could not be settled by diplomacy, and which were of a legal nature or related to the interpretation of treaties, providing they did not affect the vital interest, the honor, or the independence of either party, or the interest of third powers. With such qualifications, these were really general treaties of voluntary arbitration. Among the twenty-five nations which ratified such treaties with the United States were Costa Rica, Ecuador, Haiti, Mexico, Paraguay, Peru, and El Salvador.

To the Latin American states this codification at The Hague and London was less satisfactory, because (by Hague Convention II) it implied the obligation to arbitrate, when justice was allegedly denied to a foreign national, or possibly to suffer the consequences. Latin American jurisprudence strained toward the Doctrine of Nonintervention under whatever circumstances, toward the absolute and unhampered sovereignty of the state, even toward its complete irresponsibility to foreign governments. It was the supreme diplomatic objective of the twenty Latin American republics to write this into a code of



"American international law," and to get the United States to ratify it. That would bind the United States against further interventions, even of a protective nature, to prevent European intervention. It would not only secure a renunciation of the right of intervention as commonly understood by the law of nations in the global or universal sense; it also would line the United States up against the right of intervention in the New World by a non-American state, even to protect its subjects against denial of justice. It would do away with the Roosevelt Corollary and place the Republic of the North in a position where if it desired to maintain the Monroe Doctrine it would have to resist intervention by a non-American state in the New World no matter how great the provocation might be.

For such a radical departure the United States was not ready in 1912 when the Commission of Jurists finally met at Rio de Janeiro, although it had championed the principle of arbitration in step with the other nations of the world, and ahead of some of them. Secretary of State Philander C. Knox confidentially instructed the United States Ambassador in Brazil that the Department of State was not favorable to the movement for codification of American international law.<sup>15</sup> Professor John Bassett Moore, the jurist representing the United States on the Rio Commission, had instructions, largely formulated by himself,<sup>16</sup> to work along with his colleagues but to do little more than arrange for committees to study further the problems of codification, above all to avoid disputable matters and to insist on rules of unanimity for agreement on anything.<sup>17</sup>

The net result of the Rio Conference of Jurists of 1912 was an agreed report on extradition, approved by the United States delegate with amendments and reservations,<sup>18</sup> and the creation of six committees to meet in the future at so many different American capitals to study subjects for codification. The Commission further agreed that any draft from one of these committees that should be adopted by two-thirds of the delegates at the next meeting scheduled for Rio de Janeiro in June, 1914, would be "considered" by the next International Conference of American States.

Although the Government of the United States had been unfavorable to the work of codification, individual enthusiasts were eager to promote it through other channels. One of these was Professor Alejandro Alvarez, the delegate of Chile, Ecuador, and Costa Rica to the Rio Commission. For years—since 1905—he had been advancing the idea that because of geographical, ethnological, historical, social, polit-

ical, economic, moral, and spiritual reasons the states of the New World were developing an American international law which supplemented existing international law and would eventually lead the way in moulding the future of nations. Another was Dr. James Brown Scott, trustee and Secretary of the Carnegie Endowment for International Peace, which had set up a Division of International Law in Washington under his direction. These two men had met in that capital in June, 1911. There they planned to found an American Institute of International Law, to be composed of delegations of five members each from constituent societies of international law established or to be created in each of the twenty-one American republics—a representation of twenty to one, let it be repeated, of Latin American jurisprudence compared with Anglo-Saxon. For their plan, the gradual codification of international law “that would represent the enlightened thought of the American publicists and be the result of systematic cooperation,”<sup>19</sup> they secured the patronage of Senator Elihu Root, former Secretary of State, original temperer of North American imperialism, a sturdy champion of international codification, arbitration and adjudication, trustee of the newly established Carnegie Endowment for International Peace. The Carnegie Endowment actively sponsored and financially assisted (after 1916) the American Institute and the ensuing movement for the codification of American international law. It is not too much to say that without the Endowment’s material and moral support,<sup>20</sup> the movement would not have succeeded.

One of the six committees appointed by the Rio Commission of Jurists for leisurely study of various problems of codification was the Third Committee, on international law in time of peace, designated to sit at Santiago de Chile. Before the closing of the Rio sessions it had a preliminary meeting and elected Professor Alvarez as its *ponente* or *rapporteur*.<sup>21</sup> It further adopted a significant resolution “commending the initiative taken to found an American Institute of International Law, as the Committee considers an institution of this kind of great usefulness to assist the work of codification that the statesmen of the New World have in view.”<sup>22</sup>

It is apparent that Secretary of State Philander C. Knox was not one of the statesmen of the New World who had the work of codification in view.

Mr. Alvarez’s committee got to work immediately at Santiago in the early months of 1913 and drafted five projects of a code, the most important of which was a general Declaration of Principles that ought to

govern American international law. This subjected all foreigners to the laws of the state in which they reside and guaranteed them the rights of nationals with specified particulars.<sup>23</sup>

The projected American Institute of International Law was legally founded at Washington, October 12, 1912. The Governing Board of the Pan American Union later bestowed on it a formal resolution of commendation, December 1, 1915, as "a step of the highest importance in the moral advancement of the continent and in the strengthening of the sentiments of friendship and harmony among the Republics."<sup>24</sup> At its inaugural meeting in Washington in 1916, on the occasion of the Second Pan American Scientific Congress, it adopted unanimously a Declaration of the Rights and Duties of Nations, as a basis for American international law. Every one of these principles, explained the president of the Institute, Dr. Scott, rested on decisions of the Supreme Court of the United States. This declaration stressed the sovereign independence and equality of every nation before the law, the exclusive jurisdiction of each over its own territory and over all persons whether native or foreign found therein, and stated that: "Every nation entitled to a right by the law of nations is entitled to have that right respected and protected by all other nations, for right and duty are correlative, and the right of one is the duty of all to preserve."<sup>25</sup>

It was at this same Second Pan American Scientific Congress that President Wilson surprised the world with the announcement of his proposed Pan American pact for a mutual guaranty of the political independence and territorial integrity of all the republics of the New World. A preconception of this pact, we recall, was resort to conciliation and arbitration. It does not appear, however, that Wilson, or House, was interested in the drive for codification, or aware of its significance. So far as the United States Government was concerned, it remained a technical subject handled by specialists in the Department of State, who were opposed to it, even in the Wilson Administration.

Thus, before the First World War engulfed the Western Hemisphere in 1917, a notable movement had got under way for the conservation of peace among the American republics upon the basis of sovereign equality of all states before the law, a law which was to be codified as a foundation for the settlement of disputes by arbitration. To a large degree it had offset the opposition of the Department of State to a separate American system of international law that would, in effect, legislate into existence principles not universally agreed upon.

## DECLARATION OF THE RIGHTS AND DUTIES OF NATIONS

"I. Every nation has the right to exist, and to protect and to conserve its existence, but this right neither implies the right nor justifies the act of the state to protect itself or to conserve its existence by the commission of unlawful acts against innocent and unoffending states.

"II. Every nation has the right to independence in the sense that it has a right to the pursuit of happiness and is free to develop itself without interference or control from other states, provided that in so doing it does not interfere with or violate the rights of other states.

"III. Every nation is in law and before law the equal of every other nation belonging to the society of nations, and all nations have the right to claim and, according to the Declaration of Independence of the United States, 'to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them.'

"IV. Every nation has the right to territory within defined boundaries and to exercise exclusive jurisdiction over its territory, and all persons whether native or foreign found therein.

"V. Every nation entitled to a right by the law of nations is entitled to have that right respected and protected by all other nations, for right and duty are correlative, and the right of one is the duty of all to observe.

"VI. International law is at one and the same time both national and international: national in the sense that it is the law of the land and applicable as such to the decision of all questions involving its principles; international in the sense that it is the law of the society of nations and applicable as such to all questions between and among the members of the society of nations involving its principles."

James Brown Scott, *The American Institute of International Law: Its Declaration of the Rights and Duties of Nations*.

## CHAPTER XIV

### *The Rio Commission of Jurists and the Havana Pan American Conference (1917-1929)*

NO further meetings of the Commission of Jurists occurred until after the First World War. The entry of most of the Latin American nations into the League of Nations, their acceptance of the Court of International Justice, with its application of international law, dispelled for the time being their enthusiasm for a distinctive code of American international law.

For all intents and purposes the Commission of Jurists had expired from pernicious anaemia, although the Department of State carried it along as a contingent item on its appropriations. John Bassett Moore, who accepted an appointment on the International Court of Justice in 1921, resigned his office as United States delegate on the Commission. That body might have given up the ghost in the summer of 1922 if it had not occurred to a scrupulously conformist official in the Department of State to ascertain the views of the other governments concerned before withdrawing that item from the budget. And even this thought would not have occurred to that official had it not been prompted by Dr. Moore's resignation.<sup>1</sup> On such a thin thread of life did the codification of American international law dangle in the year 1923, only to be rescued accidentally by the unimaginative bureaucratic routine of Washington! Fascinated in their comings and goings to Geneva and The Hague the representatives of the Latin American states seem to have forgotten all about the subject. When consulted, they appeared either indifferent to the existence or non-existence of the Commission, or actually regarded it as defunct, or at the most felt that the question was up to Brazil, the host of the Commission, or that the question should be answered at the next Pan American Conference

scheduled to meet at Santiago de Chile in March, 1923. None appeared to be really anxious about its continued existence.<sup>2</sup>

At the instance, actually, of the United States,<sup>3</sup> the Governing Board of the Pan American Union put on the agenda for the Santiago Conference a consideration of the results accomplished by the Commission of Jurists at Rio de Janeiro. Secretary Hughes, in contrast to his predecessors, was thoroughly sympathetic to the movement for codification by the American republics, although he was careful not to commit himself to an "American international law." He too was a devotee of the World Court.<sup>4</sup> "The government of the United States should take a leading part," he instructed the delegation to the Fifth Pan American Conference, "in the effort to develop a *true body* of international law, and to this end to provide appropriate means for the authoritative statement of accepted principles of rules and for the harmonizing of differences."<sup>5</sup>

At Santiago the United States contributed to the Pan American movement by accepting the Gondra Convention, a multilateral "cooling-off" conciliation treaty on a Bryan chassis, similar to those which Secretary Bryan had negotiated bilaterally with so many states, including Latin American states, in 1913 and 1914. At Santiago, too, the Pan American Conference fully revived the Commission that Mr. Hughes had fanned to life in Washington. As Secretary and technical adviser of the Chilean delegation, Alejandro Alvarez delivered to the juridical committee of the Fifth Pan American Conference a report on the meaning and expression of "American international law," which the Conference recorded without commitment in its minutes.<sup>6</sup> It is the best summary of the views that Professor Alvarez had developed since 1905 on numerous occasions and in many publications.<sup>7</sup> Particularly pertaining to our interest in the Doctrine of Nonintervention is the following statement:

"The States of America, even before reaching a mutual agreement, have proclaimed certain regulations or principles different and even contradictory to those ruling in European countries, and which these latter are compelled to respect in our Continent, for instance, nonintervention and the non-occupation of territories of the States of America by ultra-continental countries.

"There are institutions, practices and laws applied in Europe which are not enforced on the American Continent, because the States that form it are not in favor of them. It is said, for instance, that political equilibrium, and armed peace [i.e., the balance of power] are contrary to the principles of American Public Law."

Alvarez also submitted a report on the "Codification of American international law"<sup>8</sup> to date, including the five projects worked out largely by himself as *ponente* of the third (Santiago) committee of the six committees set up by the 1912 Rio Commission of Jurists. In its Final Acts the Fifth (Santiago) Pan American Conference formally re-established the Commission of Jurists and its six committees, called for a meeting of the Commission at Rio de Janeiro in 1925, with two delegates from each republic, recommended that codification should be "gradual and progressive" (Alvarez's words), and enjoined the Commission to accept as a basis for its work the Alvarez report.<sup>9</sup>

As delegates to the second Conference of Jurists at Rio, Secretary Hughes appointed in November, 1923, Jesse S. Reeves, Professor of International Law at the University of Michigan, and James Brown Scott, Secretary of the Carnegie Endowment for International Peace and President of the American Institute of International Law. They were two learned men of opposite temperament and outlook. Professor Reeves was a distinguished historian of American diplomacy, as well as a jurist. Conservative, cautious, an apostle of the common law of Anglo-Saxon precedents, he was willing to codify existing agreed law, averse to legislation, opposed to regional concepts, expositor of international law in the global sense. Dr. Scott was imaginative, eager and experienced. A former Solicitor of the Department of State, he was a professional advocate of international peace, member, adviser, and mixer in many technical international conferences, collaborator of Alejandro Alvarez in the creation of the American Institute of International Law, and advocate with Alvarez, if not his apostle, of an American system of international law. He had recently drawn up and presented to Secretary of State Hughes a project for a Pan American Court of Justice to be "the very cap and crown of Pan Americanism," fitting in with George Washington's concept "that 'Europe has a set of primary interests which to us have none or a very remote relation,'"—to be submitted to the Fifth Pan American Conference at Santiago. A particular purpose of this court would be the judicial settlement of disputes arising from alleged breaches of contracts between nationals of the United States and the governments of Latin American republics, in which disputes the Latin American governments invoked the Calvo clause and the United States contended that its nationals could not divest themselves of diplomatic protection by their Government. The two chambers of the court would each have eleven judges, of whom one must be

a spokesman of the common law, i.e., the basis of the law of the United States.

Dr. Scott's proposed Pan American Court of International Justice reflected a will to create on American soil a bridge between the rights and the *duties* of states in international law, to reconcile the principle of nonintervention with international justice. But unlike the Permanent Court of International Justice that had been set up in Europe as an organ of the League of Nations, the judges of the proposed American court would have been overwhelmingly representative of Latin American jurisprudence by the proportion of ten to one. Whether such a court were a safe refuge for justice for the United States was debatable.

Immediately following his appointment as one of the two co-equal United States delegates to the second meeting of the Commission of Jurists, Dr. Scott brought all his energy as well as the financial resources of the Carnegie Endowment for International Peace to prepare, through the American Institute of International Law, a concrete program: in sum, an integrated draft (rather than six separate committee reports) to present to the Rio jurists. Since the next meeting of the Institute was projected for Montevideo in 1925, that would be too late to prepare, under the guidance of Messrs. Alvarez and Scott, any detailed recommendations. But the arrangement of all meetings of the Institute, and the topics to be discussed at them, were in the hands of an executive council which consisted of the principal officers: the honorary president, Elihu Root; the president, James Brown Scott; the secretary general, Alejandro Alvarez, and the treasurer, Luis Anderson of Costa Rica, with the eminent Cuban authority on international private law, Dr. Antonio Sánchez Bustamante y Sirvén. Since the six committees bequeathed by the first meeting of the Commission of Jurists of 1912 and confirmed by the Fifth Pan American Conference at Santiago in 1923, could not lightly be set aside, it was brought to pass<sup>10</sup>—this time with the cooperation of the Secretary of State—that the Governing Board of the Pan American Union<sup>11</sup> adopted a resolution, January 2, 1924, proposing to the executive council of the American Institute of International Law the desirability of holding a special session of the Institute in 1924 in order that the results of its deliberations might be submitted to the Commission of Jurists in 1925.<sup>12</sup> In a hurried session at Havana the executive council in this same month of January arranged for a special meeting at Lima in connection with the Third Pan American Scientific Conference.<sup>13</sup>



The executive council, that is to say Messrs. Scott, Alejandro Alvarez and Luis Anderson, now got together and worked like beavers. During the summer of 1924, while in Europe on various other duties,<sup>14</sup> they drew up a new code of international public law, in the form of thirty projects, taking as a basis Alvarez's report to the Santiago Conference of 1923, minutely revised and expanded.<sup>15</sup> Tension between Chile and Peru, arising over the Tacna-Arica controversy, caused the Chilean Government to request its nationals who were members of the Institute not to meet in any official sessions in the capital of Peru; consequently the Institute met in a series of informal luncheon sessions there, as guests of Dr. Scott in December, 1924,<sup>16</sup> and discussed the projects submitted to them by the triumvirate, Messrs. Alvarez, Anderson, and Scott.<sup>17</sup> There were present at the time in addition to Messrs. Anderson and Scott, only eight members, not including Professor Alvarez of Chile nor any Peruvian member. With some amendments they approved all the projects, except one.<sup>18</sup> They recommended that the executive council—that is to say, the triumvirate—go over the amended projects from the point of view of form and style and then present them to the chairman of the Governing Board of the Pan American Union—that is to say, the Secretary of State of the United States—to be transmitted to the Commission of Jurists at Rio de Janeiro,<sup>19</sup> on which the triumvirate, so it proved, were to sit as representatives of their respective countries. It was Secretary Hughes himself, one of the ablest lawyers in the United States, later Chief Justice, who submitted the projects to the Governing Board of the Pan American Union, apparently without referring them to the legal advisers of the Department of State.<sup>20</sup> It was the Minister of Panama in Washington who transmitted them, on behalf of the Pan American Union, to the Commission of Jurists.<sup>21</sup>

The "Fundamental Rights of American Republics" was the title of Project No. 8. The first article brought forth the Doctrine of Nonintervention. It prohibited occupation by any nation of any portion of the territory of an American republic "in order to exercise sovereignty therein, even with the consent of the said Republic." It declared that:

"No Nation has a right to interfere in the internal or foreign affairs of an American Republic against the will of that Republic. The sole lawful intervention is friendly and conciliatory action without any character of coercion."<sup>22</sup>

Even these principles if adopted would not have done away with the right of intervention altogether, although they would henceforth make

legally impossible such major interventions as had taken place by the United States in the Caribbean and Central America.

We have pointed out above that the original convention of 1906, creating the Commission of Jurists, had jarred open the gate for legislation in the guise of codification. The Fifth (Santiago) Pan American Conference swung it still wider, in its instructions to take the Alvarez report as a basis for consideration. The Pan American Union's resolution of January 2, 1924, pushed it open all the way for the shiny new Institute omnibus and its triumvirate of expert coach drivers, dispatched from Washington by Secretary Hughes, with twenty-one horses harnessed in one team, their vehicle loaded with twenty-nine \* trunkfuls of law, many of them new with distinctively American labels, billed for Rio de Janeiro and ultimately destined to consignees at Havana (Sixth Pan American Conference, 1928). Professor Reeves, Dr. Scott's colleague of equal rank in the delegation of the United States on the Commission of Jurists, was not an officer or member of the Institute. He does not appear to have been privy to all these quasi-official arrangements, abetted by the Department of State during Mr. Hughes' Secretaryship, to provide baggage for the jurists on their road to Rio, though of course he must have read the bills of lading when they were published in the journals, and the publications of the Carnegie Endowment for International Peace. Meanwhile for reasons of domestic politics in Brazil, the meeting of the Conference of Jurists was postponed until 1927.† Reflecting on the task facing the Commission when these twenty-nine trunkfuls of proposed American international law should be delivered to it at Rio, Dr. Reeves prepared a memorandum for the Department of State.

"Codification," he stated, "is clear, systematic, and authoritative statement of existing law. It is not expected, therefore, that the delegates of the United States on the Commission should favor the drafting of international legislation embodying material changes in the existing legal rights and duties of the nations of the Western Hemisphere. It is true that existing international law does not provide rules for all of the relations between States. That there are gaps in substantive international law is recognized. But there is also recognized the extreme difficulty of formulating satisfactory drafts of proposed substantive rules to fill these gaps, a matter for international legislation in the form of

\* They had dropped off one trunk at the Lima way-station.

† This time, in contrast to 1914, the Department of State was opposed to postponement.

treaties. *With reference to these, the existing treaty arrangements and established policies of the United States are to be considered.*

"The draft plans for the reorganization of the existing Pan American Union, Project numbered 9, of the projects of conventions formulated by the American Institute of International Law, and for a Pan American Court of Justice, Project numbered 28 of the same, would require international agreements far reaching in character and apparently of doubtful advantage. *As to them the delegates of the United States should take no position from which official approval of these projects might be inferred.*"<sup>23</sup>

In Washington Frank P. Kellogg had succeeded Hughes as Secretary of State, on March 4, 1925. An ardent enthusiast for the Permanent Court of International Justice set up at The Hague later, he served as one of its justices—Mr. Kellogg did not want to see a regional Pan American Court, overwhelmingly dominated by Latin American jurisprudence and judges, set up in the New World as a rival to the World Court. If any regional tribunal were to be considered, he preferred some improved plan for arbitral settlements like the Central American court of arbitration established by the Washington treaty of February 7, 1923.<sup>24</sup> Secretary Kellogg took over the Reeves memorandum and embodied it in his instructions to the United States delegation, Messrs. Reeves and Scott. The new Secretary's instructions very considerably curbed the program of the triumvirate that had been launched with the cooperation of Secretary Hughes on January 2, 1924, particularly the Scott project for an American Court of International Justice. Secretary Kellogg did not want the delegates to commit the Government of the United States to anything that might be drafted at Rio.

The Commission of Jurists at Rio<sup>25</sup> boiled down the twenty-nine projects of the triumvirate, and the reports from some of the six committees surviving from 1912, into twelve projects for codification.\* These they recommended to the next (Havana) Pan American Conference for adoption in treaty form.

Article 3, of Project No. 2, on "States: existence—equality—recognition" contained the Doctrine of Nonintervention in the following words:

"No State has a right to interfere in the internal affairs of another."<sup>26</sup>

\* The twelve projects were: (1) Fundamental bases of international law; (2) States, their existence, equality and recognition; (3) Status of foreigners; (4) Treaties; (5) Exchange of publications; (6) Exchange of professors and scholars; (7) Diplomats; (8) Consuls; (9) Maritime neutrality; (10) Rights of asylum; (11) Obligations of states in the event of civil war; (12) Peaceful solution of international conflicts.

The legal advisers of the Department of State went over the twelve projects of the Rio jurists with a fine-tooth comb. The United States delegates had declared that there was no provision in any of them (with the exception of one on asylum), which was contrary to or inconsistent with anything in the proposed code (of the triumvirate) "transmitted by the Pan American Union."<sup>27</sup> It was recalled that while the Department had not formally approved the latter, nevertheless it had not disapproved it, and that it was Mr. Hughes himself who had submitted it, with a supporting discourse, to the Governing Board of the Pan American Union.<sup>28</sup> From his vacation at Prout's Neck, Maine, Professor Charles Cheney Hyde, former Solicitor under Mr. Hughes, sent a philosophical memorandum on the problem of codification in general, with reference, apparently, rather to another Hague Conference than to the work of the jurists at Rio de Janeiro. He recognized the difficulties of legislation, but the statesman, he avowed, should not be satisfied with a known and rigid law beyond which no code could ever advance. Like the mariner creeping along a misty coast he must strain to see the great headlands of the law as he moved through the sea of politics.<sup>29</sup> The reaction of the Undersecretary appears to have been that the Rio projects were too Latin American and might seriously hamper the Government in the protection of United States interests, particularly in certain Caribbean states; if there was any thought of becoming a formal party to the proposals, they should receive the most careful study and consideration.

After a careful study of the proposed codes, the Solicitor of the Department felt that none was wholly free from objection: in many cases, he said, the Commission of Jurists had properly set forth existing law; in others they had merely presented what they thought the law should be. His principal objection was to the "unqualified" statement that no state may intervene in the internal affairs of another.<sup>30</sup> He stressed the necessity of *willingness*, as well as capacity to discharge pre-existing international obligations, as a criterion for the recognition of governments (Project II, Article 8). On these major points the proposed projects, for obvious reasons, were favorable to the Latin American states and unfavorable to the United States. He also called attention to the recognition of states as fixed and irrevocable (II, 6). There were numerous other novelties which should be weighed well before acceptance in treaties, many debatable details, much looseness of language and drafting.<sup>31</sup>

At the Sixth Pan American Conference at Havana the twenty Latin American states had no serious objection to any of the Rio projects.

They would have accepted them all if the United States had been willing. Their real object in the codes was to condemn henceforth interventions such as the United States had been responsible for in the Caribbean countries, to make such action impossible in the future, to demolish the Roosevelt Corollary of the Monroe Doctrine, to swear the United States to the equality of all states before the law, to the doctrine of absolute nonintervention, to the sovereign irresponsibility of each state. They wished to confirm their "rights" in international law by these proposed conventions; they were less eager to pledge their "duties." The principal purposes of the United States under the Republican Restoration were to maintain unimpaired its position in the strategic radius of the Panama Canal; to maintain the full integrity of the Monroe Doctrine, as defined by the United States, including the Roosevelt Corollary; to justify its protective imperialism pending a liquidation of existing interventions to the bare strategic requirements of security of its own continental position, to avoid being maneuvered into giving up diplomatic protection of citizens and their property abroad, meanwhile to pledge itself against war or conquest, to the machinery for conciliation, to arbitration of justiciable questions. It was willing to accept that major portion of the codes, even their new legislation, which worked to that end, but it was not willing to abandon the protection of its citizens against denial of justice, or to give up the right of intervention when a nation refused to arbitrate a dispute involving such a denial.

Hitherto it had been the policy of the United States to exclude all controversial matter at the Pan American conferences, to concentrate on the many topics which could be regulated without much political difference of opinion. But Mr. Hughes himself in 1924 and 1925 had let the debatable projects of codification into the Pan American areopagus. For the first time, in 1928, diplomatic issues of fundamental significance already were in the agenda. Conscious of the great importance of the Havana Conference, the United States Government assembled an unusually able delegation. President Coolidge determined to go himself to address the Conference at its opening. "In the international system which you represent," the President was to say to the representatives of twenty-one republics at Havana on January 16, 1928, "the rights of each nation carry with them corresponding obligations, defined by laws which we recognize as binding upon all of us."<sup>32</sup> At the suggestion of Secretary Kellogg, then deep in the negotiation of the Pact of Paris to outlaw war as an instrument of national policy, the Presi-

dent appointed Mr. Hughes to lead the delegation.<sup>33</sup> "It is an established principle of our international policy," began the instructions to the Delegation, "that: 'Among the Foreign Relations of the United States as they fall into categories, the Pan American policy takes first place in our diplomacy.'" More specifically the instructions enjoined the delegates to govern themselves by the spirit of mutually beneficial cooperation, disavowing all tutelage, proffering no assistance even in the realms of science and industry unless solicited. They were to strive to keep off the agenda all controversial subjects not already there, and to resist the doctrine of absolute nonintervention.<sup>34</sup>

Before leaving Washington Mr. Hughes carefully reviewed the Solicitor's memorandum on the Rio projects. At once he appreciated the force of the objections and their significance for the Latin American policy of the United States. Forthwith he determined to oppose the two most significant of the projected conventions of codification of American international law: the one on "Fundamental Bases of International Law," and that on "States, Existence—Equality—Recognition"; and to tighten up the drafting of any of the other projects to be adopted.

The Havana Conference thus presented a diplomatic battleground between the rights and duties of states.<sup>35</sup> Despite the opposition to his program, led by Argentina, El Salvador, Chile, and Mexico,<sup>36</sup> Mr. Hughes succeeded in holding the discussions to the topics on the prepared agenda,<sup>37</sup> including the Rio projects, and in blocking the two objectionable conventions, including notably the doctrine of unqualified nonintervention. In the committee on codification of international law Mr. Hughes supported the motion of Dr. Maúrtua of Peru, to substitute for the two exceptionable conventions (on the fundamental bases of international law; and the existence, equality and recognition of states) the declaration on the rights and duties of states drawn up by the American Institute of International Law in 1916 and endorsed by Mr. Hughes, when Secretary of State in 1923.<sup>38</sup> On the other hand, Dr. Guerrero of El Salvador insisted that the Conference at least pass a resolution: "That no state has a right to intervene in the internal affairs of another."

Intervention was the bone of contention at Havana. The sharpest debates that had ever occurred in the history of Pan American conferences took place in a special sub-committee to which this issue was referred. It resulted in a postponement of the issue: a resolution to refer the disputed projects and other subjects of codification to further

meetings of the Commission of Jurists under the auspices of the Pan American Union for study, the results to be considered at the next (Seventh) Pan American Conference at Montevideo.<sup>39</sup> The Conference adopted a resolution to this effect, one of fifty-two resolutions (including another tribute to the work of Professor Alvarez). Mr. Hughes finally expressed the hope—and not an empty one, so the near future proved—that the day would come when all such matters might be solved harmoniously by the codification of all these “postulates” of international law.<sup>40</sup> It was at Havana that the United States made its last defense of the interventions still unliquidated in the Caribbean. The pillars of Pan Americanism, said Mr. Hughes, were independence, order, and political stability to secure independence, together with good will and cooperation. He declared that the interventions then in evidence were only for ensuring stability as a means of securing independence. “We have no desire to stay. . . . We entered to meet an imperative but temporary emergency, and we shall retire as soon as possible.”<sup>41</sup>

Mr. Hughes did not deny that the actions of the United States in certain of the states of Central America and the Caribbean had constituted intervention, but he preferred to describe them as temporary “interposition.” “Let us face the facts,” he frankly told his fellow delegates. “The difficulty, if there is any, in any one of the American Republics, is not of any external aggression. It is an internal difficulty, if it exists at all. . . . What are we going to do when government breaks down and American citizens are in danger of their lives? Are we to stand by and see them killed because a government in circumstances which it cannot control and for which it may not be responsible can no longer afford reasonable protection? . . . Now it is a principle of international law that in such a case a government is fully justified in taking action—I would call it interposition of a temporary character—for the purpose of protecting the lives and property of its nationals. . . .”<sup>42</sup>

Despite the refusal of the United States to accept the Doctrine of Nonintervention, the conventions and resolutions signed at Havana in February, 1928, took long steps ahead on the codification of international law, including distinctively American features, as contrasted with the universal law of nations. The United States supported the principle of arbitration at the Havana Conference in 1928, and it ratified a resolution of that conference branding aggression (without defining it) as an international crime against the human species and pro-

hibiting it as illicit. It joined with other American republics in signing—and subsequently ratifying—those conventions for the codification of public international law on: the Status of Aliens, Treaties, Diplomatic Agents, Consuls, Maritime Neutrality, Asylum, Obligations to States in Event of Civil War.<sup>43</sup>

The United States took the position at Havana that the *duties* of states, as well as the *rights* of states, must be consecrated: a state could not have its rights unquestioned when it refused to perform its duties. The United States then asserted and has always maintained that a citizen could not sign away by contract with a foreign state the rights of protection by his own government against denial of justice. The Government of the United States in 1928 and for five years thereafter relied unequivocally upon the process of arbitration for the settlement of any dispute arising over difference of opinion as to whether there had been, in fact or in law, a denial of justice; it was unwilling to leave that decision solely to the government of the country against which the claim had risen. It therefore advocated perfection of resources for the arbitration of justiciable disputes.

The Washington Conference on Conciliation and Arbitration, which assembled in December, 1928, following a resolution of the Havana Conference, drew up two multilateral treaties: one on conciliation<sup>44</sup> and one on arbitration. The preamble of the general arbitration treaty of January 5, 1929, condemned war as an instrument of national policy, as the Kellogg-Briand Pact of Paris had done six months previously. The treaty provided for the obligatory arbitration of disputes of a justiciable nature; that is to say, disputes arising over: (a) the interpretation of a treaty; (b) any point of international law; (c) the existence of an act which if it were proved would constitute a violation of an international obligation; and (d) the nature and extent of reparation which should be given for the fulfillment of the obligation. Specifically excepted from the obligations to arbitrate: (a) disputes involving questions within the domestic jurisdiction of any of the disputant parties which are not governed by international law, and (b) those which affect the interests or refer to the action of a state which is not party to the treaty. Under this treaty disputants must arbitrate justiciable disputes either before a tribunal to be agreed upon between them, or, failing agreement, before a tribunal to be chosen in the following way: each disputant to appoint two judges, only one of whom may be of his own nationality or from those who represent it in the Hague Permanent Court of Arbitration; the other must be a member of an American



state; the four thus appointed designate the fifth, presiding judge. The assured Latin American character of the tribunal is what distinguishes this from the Hague Permanent Court of Arbitration. In a dispute between the United States and a Latin American republic arbitrated before such a tribunal, at least three of the judges would be certain to be representatives of Latin American jurisprudence.\* There is no doubt how such a court would interpret a Calvo clause.

Notwithstanding the Latin American predominance of this inter-American court of arbitration, the United States signed and eventually ratified (April 16, 1935) the convention. So did the other American republics ratify (subject to a good many reservations), except the Argentine Republic (which did not attend the conference), Bolivia, Costa Rica, Paraguay, and Uruguay. These reservations (by Venezuela, Chile, Ecuador, Colombia, Mexico, Dominican Republic) refused to arbitrate cases of denial of justice until the judicial recourses of the country had been exhausted. Chile declined to allow any case to go beyond the competence of its own juridical authorities except when the latter should refuse to decide a case presented in conformance with the law.<sup>45</sup> Other states declined to arbitrate territorial disputes, or cases arising before the signature of the treaty. Except for Chile, no state has reserved, from the principle of arbitration, cases within the competence of its own courts where justice has been admittedly denied. Of course there may be much dispute as to whether justice has in fact been denied. It should also be pointed out that exclusion from the obligation to arbitration, in the Washington treaty of 1929, of disputes involving the *domestic jurisdiction* of a state may leave open a plausible door of evasion for states which are unwilling to submit an alleged denial of justice to international arbitration, even to inter-American arbitration.

In sum, the United States advocated the arbitration of cases where there was a difference of opinion as to whether justice had been denied, and even went so far as to commit itself to arbitration before a tribunal with a majority of Latin American arbitrators, in case no other tribunal should be acceptable to the American disputants.<sup>46</sup>

This last exception is most significant. Eleven of the republics including the United States are parties to the treaty for the arbitration of pecuniary claims before the Hague Permanent Court of Arbitration, which provides for arbitration before a tribunal of five judges chosen from that court: two chosen by each disputant, and an umpire chosen by

\* The United States could select only one national; the other nomination must be a national of another American republic.

the four judges (or by the two disputants, or an agreed third state—or by friendly third and fourth states, acting as seconds to each disputant). In case of a dispute between the United States and one of these other ten republics over a pecuniary claim which treaty would apply, the treaty for the arbitration of pecuniary claims, or the Washington treaty of 1929 for the arbitration of justiciable questions? Since pecuniary claims are justiciable questions the later treaty would seem to be open to them.

The United States had joined in branding a war of aggression as a criminal act against mankind, declaring it illegal and prohibited. It had renounced war as an instrument of international policy. It had declared further for the pacific settlement of international disputes between the American states.<sup>47</sup> But it still refused specifically to give up the right of intervention as a last resort when justice was denied and arbitration refused.

Arbitration rather than nonintervention had been the watchword of the Republican Restoration. But, as we have seen in previous chapters, the apparent safety of the two oceans after the World War of 1914-1918, the Pact of Paris, the repudiation of the Roosevelt Corollary, the Washington Treaties of 1929, and the advancing liquidation of imperialism, had prepared the way by 1929 for the complete acceptance of the Doctrine of Nonintervention as the next step in the Latin American policy of the United States.

## CHAPTER XV

### *The Good Neighbor at Montevideo* (1933)

#### I

THE accession of Adolf Hitler to power in Germany (January 30, 1933), an event in European history that boded the end of continental security for the United States and which occurred contemporaneously with the inauguration of President Franklin D. Roosevelt (March 4, 1933), had nothing to do with the initial formation of the Good Neighbor Policy, much as it may have had to do with its rapid later development. The world, and much less the United States and its political leaders, did not then sufficiently realize the revolutionary forces that were banking up across both oceans to threaten freedom in the American Hemisphere. Not fear of European dictators, but respect for the republican New World and a sincere desire to get along with it on the most cordial and friendly terms possible, as a means of cultivating commerce and culture, and above all of promoting peace, inspired the Neighbor of the North. Next to the security of the Continental Republic itself, these were the most vital interests of the United States. That security seemed so well established that the protective imperialism of the first quarter of the twentieth century could be renounced safely, and the United States could turn to a redress of the grievances, real and fancied, of its neighbors to the south.

Franklin D. Roosevelt, like most Presidents before him, was more familiar with the languages, culture, and history of Europe than of Latin America. As a young man he had visited the Caribbean, in 1904, and the Panama Canal in 1912 while it was still under construction. His principal experience with Latin American countries seems to have been with Mexico at the time of the Vera Cruz intervention, when he

was an alert Assistant Secretary of the Navy under President Woodrow Wilson, and with Haiti, for which protectorate he wrote a constitution following the intervention of 1915.\* During the presidential campaign of 1928, when he supported Alfred E. Smith, on the Democratic ticket, Roosevelt wrote a significant article on "Our Foreign Policy," criticizing the interventions in the Caribbean under both Republican and Democratic administrations. To be sure he was harder on the Republicans whom alone he accused of "dollar diplomacy," than he was on his fellow-Democrats; but he even confessed his "slight part" in the sins of the latter. He called upon the United States to renounce "for all time" the practice of "arbitrary intervention in the home affairs of our neighbors."<sup>1</sup>

"It is possible that in the days to come," he said, "one of our sister nations may fall upon evil days; disorder and bad government may require a helping hand be given her citizens as a matter of temporary necessity to bring back order and stability. In that event it is not the right or the duty of the United States to intervene alone. It is rather the duty of the United States to associate itself with other American Republics, to give intelligent joint study to the problem, and, if the conditions warrant, to offer the helping hand or hands in the name of the Americas. Single-handed intervention by us in the internal affairs of other nations must end; with the cooperation of others we shall have more order in this hemisphere and less dislike."<sup>2</sup>

This statement affords a key to Roosevelt's later interpretation of the Doctrine of Nonintervention.<sup>3</sup>

As President, Mr. Roosevelt showed a very great interest, manifested in fishing trips on naval ships, in the strategic waters and islands that guard both approaches to the Canal. He was after bigger fish than tarpon. These trips displayed a keen understanding of the requirements of the defenses of the Continental Republic and the New World in times of future great emergency.

At his inauguration Roosevelt appeared to take over, with no great change, but with no commitment of continuance, unless it were in the Far East,<sup>4</sup> the foreign policy of the Republican Restoration, including its Latin American policy. In the midst of domestic panic of unprecedented proportions, in a battle at home with fear, the new President dismissed foreign affairs, for the time being at least, with the felicitous statement, in his inaugural address, that it would be the policy of his Administration to be a good neighbor in the world.

\* In 1917 he visited Cuba, Haiti, and the Dominican Republic.

"In the field of world policy," he said, "I would dedicate this Nation to the policy of the good neighbor—the neighbor who resolutely respects himself, and, because he does so, respects the rights of others—the neighbor who respects his obligations and respects the sanctity of agreements in and with a world of neighbors. We now realize as we have never realized before our interdependence on each other; that we cannot merely take, but must give as well. . . ."

This sole allusion to foreign policy was a perfectly diplomatic and noncommittal utterance. The Good Neighbor pronouncement of March 4, 1933, did not point particularly to Latin American relations; on the contrary, reference to respect for existing obligations and the sanctity of agreements seems to have been directed at the volatile Far Eastern situation; but the general statement of foreign policy might have been used very well to describe the Latin American policy of the previous Republican administrations: performance of duties and preservation of rights under international law, renunciation of war as an instrument of national policy, non-recognition of territorial conquest, resort to arbitration and conciliation for the settlement of disputes. No government could take exception to the classical phrase the Good Neighbor; all must envy Roosevelt's happy and latitudinous usage of it, because none would profess to be other than a good neighbor.

Under the counsel of Secretary of State Cordell Hull and his professional advisers in the Department, including the experienced Sumner Welles (whom Roosevelt restored to the diplomatic service by making him an Assistant Secretary of State in charge of Latin American affairs, then presently Ambassador to Cuba), the Good Neighbor Policy rapidly developed, through speeches of the President, by successive steps of policy, and in inter-American conferences, to accept the Doctrine of Nonintervention. That Latin American doctrine eventually became the capstone of the Good Neighbor Policy. The basis for this policy was laid before shadows from Europe and Asia fell again across the Western Hemisphere, while the New World still seemed as safe from non-American intervention as it had in the days of Coolidge and Kellogg.

In the few weeks before Assistant Secretary of State Sumner Welles took off for Cuba as Ambassador, the Good Neighbor Policy received some very general specifications for Latin America. Little more than a month after his inauguration, the President, although immersed in the most pressing problems of domestic political economy, international debts, and the coming World Economic Conference, accepted an invi-

tation to speak to the Pan American Union on April 14, 1933, Pan American Day.<sup>5</sup> The address was Roosevelt's first expression<sup>6</sup> of policy toward the republics of the New World. It did not announce any new departure. Rather it reflected the conclusions of *Naboth's Vineyard*.

Sumner Welles's *Naboth's Vineyard* had been a panegyric for the Latin American policy of Secretary Hughes, and a hope for the future, sounding the note of independence and equality in a cooperative Pan Americanism. To anyone who has carefully read and re-read the concluding chapter of that work, as a student of the Good Neighbor Policy must do, it is evident that in this first expression of Latin American policy, the second Roosevelt, with his emphasis on obligations as well as on rights and his insistence on the compatibility of the Monroe Doctrine with a cooperative Pan Americanism,<sup>7</sup> really was reiterating in warmer and more sympathetic tones, the policy of Hughes and Kellogg, with an additional word of support for Secretary Hull's desire for the lowering of trade barriers. Not quite yet had the Doctrine of Nonintervention won a complete and unqualified convert in the Neighbor of the North.

During the year 1933 presidential pronouncements and steps of foreign policy advanced rapidly to the threshold of the new doctrine. These were: the appeal of President Roosevelt to the nations of the world to make a nonaggression pact pending complete agreement on disarmament; the agreement for the evacuation of Haiti; the Cuban situation, during the development of which Roosevelt evidenced a disinclination to intervene and announced willingness to negotiate modifications of the Platt Amendment, which had conferred a treaty right to intervene in the internal and external affairs of the Cuban Republic; and the more sympathetic attitude of the United States, in contrast to the policy of the previous Administration, toward efforts of the League of Nations to supplement or even to supersede (in the case of the Peruvian-Colombian clash) conciliation of the Leticia conflict and the Chaco War.<sup>8</sup>

The appeal for an universal nonaggression pact came on the eve of two great international conferences scheduled to meet in Europe during the summer of 1933: the World Economic Conference at London and the Disarmament Conference, still surviving after previous adjournments, in Geneva. Though mankind looked to these meetings for salvation, they were both to fail, because the great powers, including the United States, could not adjust their individual national interests to the common weal. Just before the meeting of these conferences, Roosevelt

launched an identic representation (May 16, 1933) to the chiefs of state of all nations represented, calling for peace by nonaggression and disarmament, and for the end of economic chaos.

"I believe," said the President, "that the overwhelming majority of peoples feel obliged to retain excessive armaments because they fear some act of aggression against them and not because they themselves seek to be aggressors." He therefore proposed "that all the nations of the world enter into a solemn and definite pact of non-aggression: that they shall solemnly reaffirm the obligation they have assumed to limit and reduce their armaments, and, provided these obligations are faithfully executed by all signatory powers, individually agree that they will send no armed force of whatsoever nature across their frontiers."<sup>9</sup>

Now that the United States had withdrawn its own forces from Nicaragua, and was arranging an evacuation of Haiti, the President was proposing most virtuously to the world that henceforth no nation should ever move its forces across another's frontiers. In making this proposal Roosevelt was holding up, in the most conspicuous way possible, a version of the Doctrine of Nonintervention. Since the Havana Conference of 1928, when Hughes had refused to accept the projected Treaty on States, because of the article prohibiting any state from interfering in the internal affairs of any other American state, the United States had taken many notable steps, in example and in preachment, toward the Doctrine of Nonintervention: notably the Kellogg-Briand Pact of Paris, the Clark Memorandum, the Washington Treaties of Conciliation and Arbitration, the "Stimson Doctrine," the Declaration of Nonrecognition of August 3, 1932, withdrawal from Nicaragua, and preparation to evacuate Haiti, and now the Good Neighbor pronouncements and the appeal for a general nonaggression pact.

2

Roosevelt's universal appeal temporarily eclipsed in public attention, as doubtless it was calculated to do, a project for a general Anti-War Treaty of Nonaggression and Conciliation which the Foreign Minister of Argentina had first proposed in September, and made public in November of 1932, for the acceptance of the nations of the Western World, indeed of the whole world, as a comprehensive substitute for the various Pan American peace treaties of 1923 to 1929. None of these had been ratified by the Argentine Government, nor had it, for that matter, ratified the Kellogg-Briand Pact of Paris. That republic had

never been willing to accept the Pan American peace program, not because it felt inimical to the cause of peace, but because it regarded itself—the most highly developed Spanish-speaking country of the Western Hemisphere—as the rightful leader of any Pan American movement. No matter how exalted the cause, where it could not lead it would not join. Persistent refusal of the Argentine Government to ratify Pan American treaties and conventions\* exhibited a deep-seated and inveterate resentment, scarcely concealed, at the Latin American policy of the United States, particularly as expressed in the Pan American movement and in the Monroe Doctrine. As the Argentine Government and many of the Argentine elite mistrusted and resented Pan Americanism and the Monroe Doctrine they tended to espouse the ideal of Hispanism, or cultural reunion with Spain of the “Hispanic” peoples of the New World, and they began to look more and more to Geneva as a diplomatic lodestar.

What was that Pan Americanism, fostered by the United States, which Argentina so resented? Was it a policy principally of the United States, or was it first and foremost a common tendency of the republics of the New World (they did not include the kingdom known as the Dominion of Canada) to associate together for mutual understanding of common aspirations and interests? The greatest of these common aspirations was peace. It had become a policy of the United States to encourage this tendency in order to cause the American nations not to look to Europe nor to depend on Europe for international leadership, because (as history has suggested) Europe might possibly exploit such tutelage for the selfish interests of particular European powers. This in turn might lead to the exercise of political influence or even sovereignty of a non-American power in the American world, which would

\* Up to December, 1933, the Argentine Government had ratified only four out of fifty-six Pan American conventions signed since 1890: a convention on the status of naturalized citizens, signed at the Third Pan American Conference at Rio de Janeiro in 1906, two postal conventions (signed at Buenos Aires in 1921), and one sanitary convention (signed at Havana, 1924, with an additional protocol at Lima, 1927). Up to January 1, 1943, Argentina had ratified six out of ninety. The two new ratifications, 1933-1942, were: the Argentine Anti-War Pact (not originally a Pan American treaty), and the Convention on European Colonies and Possessions, signed at Havana in 1940, which contained a reservation affirming Argentina's title to the Falkland Islands.

This record makes Argentina easily the greatest non-ratifier of all time.

See successive editions of the tabulation by the Pan American Union: *Status of the Treaties and Conventions signed at the International Conferences of American States and Other Pan American Conferences*. I have included only Pan American treaties and conventions.



be possibly a menace to the common American republican form of government, perhaps a threat to independence itself. Rather let the American republics look to themselves and their common counsel for such leadership. In this sense Pan Americanism may be considered a policy of the United States.

Before the First World War the accomplishments of the Pan American movement had been meager. The intervention of the United States to clinch the secession of Panama, and the installation of the protectorates in the Caribbean and in Central America, had provoked a vigorous skepticism of the good faith of the "Colossus of the North," a mistrust which overweighed the protection from European imperialism afforded by the Monroe Doctrine and the Panama Policy. We have seen that North American protective imperialism gave fuel for the flames of burning Yankeeophobia critics, and there had been generally little consideration of the strategic necessities which had produced the Panama Policy of the United States in a new order of sea power before 1919.

Successive inter-American conferences that followed the conferences at Washington in 1889—Mexico City, 1902, Rio de Janeiro, 1906, and Buenos Aires, 1910—really had accomplished very little of vital importance. Their principal achievement was the abatement, by treaties, of trade nuisances. They provided for the international regulation of such common conveniences as bills of lading, trademarks, copyrights, patents, publicity of customs dues, sanitary precautions, etc. Ancillary to these diplomatic conferences were held numerous professional, scientific, cultural, and humanitarian conferences of the different American republics, meetings initiated by the major diplomatic conferences themselves or organized by the Pan American Union from its headquarters in Washington: conferences of bankers, journalists, advocates of inter-American railroads and motor roads, proponents of the advancement of women's rights, educators, historians, geographers, and so on. These meetings had done something to bridge the gap between "Anglo-Saxon" and Latin American culture, and to tone down discordances among the leaders of thought, but they had not moulded the political solidarity of the republican New World.

For several reasons it had been difficult to achieve multilateral political conventions. The Latin American states suspected that the United States would like to impose a political tutelage over them even while preventing non-American powers from doing so. They had suspected the Monroe Doctrine of such import, particularly the Roosevelt Corol-

lary. They were also piqued in their pride because the protective shadow of the Washington Monument, so to speak, fell across the Pan American Union in the capital of the United States.<sup>10</sup> This shadow\* had appeared in the persistent presiding over the Union by a citizen of the United States, either as a chairman of the group of diplomatic representatives from the several Pan American republics accredited to Washington, which chair according to the rules of the Union until 1923 was held *ex officio* by the Secretary of State of the United States; or as Director General of the Pan American Union, which office has always been held by a citizen of the United States. Until 1923 only a recognized diplomatic representative at Washington could sit in the Governing Board of the Pan American Union; before that year the rupture of diplomatic relations for whatever reason, with the United States, would deprive a republic of its seat. In short, there lingered a general distrust which it has been a task of the Latin American policy of the United States to overcome.

Intensive nationalism in South America itself, racial differences in the midst of a common Hispanic background, economic divergencies and all the heritages of varying altitude and latitude also had prevented Pan American political agreements, like treaties for the limitation of armaments and the lowering of tariff walls. Nevertheless the American republics had agreed, before the First World War, to the convention establishing the Hague Court of Arbitration which had been set up in 1899 by a conference in which they did not sit; and in several instances to the Root arbitration treaties † with the United States, and also to Bryan conciliation treaties.‡ Thanks to the initiative of the United States, they attended the Hague Peace Conference of 1907. In 1923 at Santiago de Chile they signed, and most of them ratified, with the United States, the Gondra Conciliation Treaty. And the spirit, if not

\* Astronomically, the shadow does fall on the Pan American Building on certain winter mornings.

† Concluded 1908-1909 with nine Latin American countries: Brazil, Costa Rica, Ecuador, Haiti, Mexico, Paraguay, Peru, El Salvador, Uruguay. Treaties signed with Argentina, Bolivia, and Chile were never fully ratified.

By these treaties the parties bilaterally agreed in advance to arbitrate all differences, not settled by diplomacy, which were "of a legal nature or relating to the interpretation of treaties," excepting always those questions affecting the "vital interests," the "honor," the "independence" of either party, or "the interests of third powers." The Senate in advising and consenting to ratification of each of these treaties, amended them so as to require that the special agreement defining the terms of the arbitration be ratified by itself in every instance of arbitration.

‡ Concluded with eleven Latin American republics. See above, p. 196.

the accomplishments, of Woodrow Wilson's Latin American policy had done much to convince the other republics of the New World at least of the good intentions of the United States. We have noted that during the First World War the majority of them were actively or passively on the side of their neighbor of the north: eight as co-belligerents, five as nonbelligerent friends—only seven remained neutral; none openly took the side of Germany in 1917.

Not until Havana in 1928 did the twenty Latin American republics, by that time safe after the First World War from any danger of non-American intervention, really attempt to debate live questions with the "Colossus of the North." Even though Mr. Hughes successfully fought off the Argentine effort to inject intervention formally into the program in order to lead an attack on it, the atmosphere at Havana crackled with that potential issue. Had it been released, it might have broken up the Conference and perhaps have wrecked the whole Pan American movement then and there. This risk the Argentine delegation had been ready, even eager, to take—and we recall that the head of the delegation bolted the Conference when his effort failed. It is well for the solidarity of the New World that the issue was postponed to more propitious days, to which Mr. Hughes himself looked forward sincerely: the time when the interventions of the United States would have been more largely liquidated.

It was the Chaco War in South America, and the rival efforts of the United States and Argentina to conciliate that conflict, that raised resentment at Buenos Aires of North American leadership to a full pitch of inveteracy and brought forth the celebrated anti-war project of Dr. Carlos Saavedra Lamas.

### 3

Just as the Kellogg-Briand Pact of Paris appears to have been a belated requital for the rejection of Woodrow Wilson's League of Nations by the land of its author, and an effort at the same time to assume leadership of world peace by delivery of an exalted substitute pact, so the Saavedra Lamas anti-war project looks like a compensatory gesture of statesmanship to atone for Argentine aloofness from both the Pan American peace structure and the League of Nations. It was a stratagem to seize from the United States leadership of the Pan American movement by writing the Latin American Doctrine of Nonintervention into the new peace pact. Therefore, in order to understand the diplomatic background of the Seventh International Conference of American States

at Montevideo and the opposing policies that were partially resolved there at Christmastide of 1933, we must refer at this point, if only in a summary fashion, to the intricate and unsuccessful efforts to end hostilities between Bolivia and Paraguay, that dreadful war so very close to the Argentine Republic and so very distant from the United States.

Absence of Argentina at the special Washington Conference of 1928-1929 had excluded its government unexpectedly from an important peace maneuver. In addition to formulating the inter-American treaties on conciliation and arbitration, that Conference had created a Commission of Neutrals<sup>11</sup> (composed of representatives of the United States, Colombia, Cuba, Mexico, and Uruguay) to conciliate the Chaco War. An Assistant Secretary of State of the United States, Mr. Francis White, presided over the Commission as its secretary, and he spoke in the diplomatic grammar of Washington. This was the Commission which had drawn from nineteen neutral American republics the non-recognition Declaration of August 3, 1932,<sup>12</sup> at the direct inspiration of Secretary of State Stimson, who was applying to the American Continent the same doctrine he had distilled from Pan American precedents<sup>13</sup> and applied to Manchuria earlier in the year. The Argentine Government had joined in the Declaration of August 3; meanwhile it had been busy organizing a rival commission of neutrals (Argentina, Brazil, Chile, and Peru—all of them contiguous neighbors to the belligerents) which perfunctorily pledged itself to work in cooperation with the Washington Commission.<sup>14</sup> Actually the Argentine Government did its best to obstruct the latter's efforts. The test came when the Washington Commission proposed (September 14, 1932) to Bolivia and Paraguay that they agree to end hostilities immediately and arbitrate their dispute, and that they accept a sub-commission to supervise the armistice. To the nineteen American neutral states the Washington Commission proposed that they agree that in case the sub-commission in the field should establish that either belligerent had violated the armistice, then the violator be considered as an aggressor, whereupon the neutrals would withdraw all diplomatic and consular representation from it, thus implementing the Declaration of August 3.

Meanwhile Mr. Francis White in correspondence with the Secretariat of the League of Nations, responded in a noncommittal if not discouraging manner to the solicitude of that authority concerning the war between two of its members locked in death grips across the Chaco Boreal. He declared that the two belligerents already had accepted the proposals of the Washington Commission of Neutrals for direct

negotiations looking to the cessation of hostilities and arbitration. "These negotiations have been duly opened," wrote Mr. White, "and are progressing normally."<sup>15</sup> In other words, the Washington Commission had the situation well in hand and needed no help from Geneva.

This exchange reflected the lingering reaction of the United States against the League of Nations and a new \* disposition to keep the settlement of American disputes within the purview of all-American conciliation and arbitration. One of the strongest arguments against the League in the Great Debate of 1920-1921 had been that it might interfere with the Monroe Doctrine. We remember that Article XXI of the Covenant had been formulated to overcome this objection: "Nothing in this Covenant shall be deemed to affect the validity of international engagements such as treaties of arbitration or regional understandings like the Monroe Doctrine, for securing the maintenance of peace."

Dr. Saavedra Lamas responded to the proposal of the Washington Commission with a stinging † refusal to participate in any "comminatory" measures against a recalcitrant belligerent. That, he said, would be intervention, albeit only "diplomatic intervention," in the affairs of another state, absolutely unjustifiable, by Argentine policy, unless prescribed by some legal instrument duly ratified by the parties concerned. He went out of his way to declare that the Chaco controversy was an appropriate one for the League of Nations to handle, since the parties to the dispute had accepted the Covenant. No "regional understanding," he affirmed, should stand in the way of Geneva. "Such regional or continental understandings," he declared in closing the correspondence, "have neither the adhesion of Argentina nor a sanction created by the unanimous will of the continent."<sup>16</sup>

To the League of Nations the Argentine Minister to Switzerland delivered suggestively a copy of the portion of the note just quoted.<sup>17</sup>

Thus did the Argentine Government, under the counsel of its For-

\* In general the United States has not taken the position of opposing the arbitration of inter-American disputes before European states or tribunals. Witness the many such mediations and arbitrations. On the other hand it has been conspicuous in offering its good offices, and serving as arbitrator. William S. Robertson has an excellent summary of the role of the United States to 1917 in good offices, mediation, and arbitration between Latin American disputants, in his *Hispanic American Relations with the United States*, Carnegie Endowment for International Peace, New York, 1923, pp. 143-85.

† Mr. Felipe Espil, Argentine Ambassador to Washington, who delivered the answer to the Commission, took the sting out of the note by discreetly omitting some expressions. *La Prensa* of Buenos Aires, November 18, 1932, p. 10.

eign Minister, block the peace efforts of the Washington Commission of Neutrals, even had the Chaco belligerents been willing to accept the proposal of that Commission to stop fighting and arbitrate, which they were not. Nor was the rival ABCP commission of southern neutrals any more successful in its good offices to stop the war.

It was at this juncture<sup>18</sup> that Dr. Saavedra Lamas made public his project for an anti-war treaty of nonaggression and conciliation to provide a definite legal instrument, hitherto lacking, for the governance of such controversies in the future. His mind had been dwelling on the problem, he implied, ever since Argentina had backed away from the League of Nations, but he had not actually drafted the project until June, 1932. Actually he did not convey it to the Government of the United States, nor presumably to other American governments, until September 21, 1932.<sup>19</sup> After preliminary articles, invoking certain principles of peace, this treaty would coordinate, so Dr. Saavedra Lamas explained, all the existing peace machinery of previous multilateral treaties, from the Gondra Conciliation Treaty of 1923 to the Washington treaties of 1929, not omitting the League of Nations and the Kellogg-Briand Pact of Paris, but carefully avoiding commitment to other than moral sanctions.

Here was a peace pigeon fluttering forth from the sombrero of a diplomatic magician whose government had put itself in a weak position for the leadership of any Pan American movement. It had refused to ratify any of the inter-American peace instruments, none of which was of its own fabrication. It had been unwilling to accept the Kellogg-Briand Pact, which bore in part the name of an United States Secretary of State, and half of which, at least, had been fashioned in Washington. It had withdrawn its representation from the League of Nations, the creation of a President of the United States, whose statue stood on the shore of Lake Geneva (though not on the banks of the Potomac!). Now to prove its earnestness for the cause of international peace, and to make a bid for Latin American leadership under the banner of Non-intervention, the Argentine Government produced this home product for the world to accept in lieu of less perfect contraptions.

Most of the provisions of Dr. Saavedra Lamas's treaty were no longer novel in 1932. The peace machinery did not differ greatly from that of the Gondra Conciliation Treaty of 1923, of Chilean inspiration, or the Washington treaties of 1929, of Pan American make. The most significant feature was the statement of principles, in the first three articles: condemnation of "wars of aggression" (without defining ag-

gression), and resolve to settle all disputes by peaceful means; denial of the validity of territorial acquisitions or occupations by force; and prohibition of intervention, "either diplomatic or armed."

In one way or another the American republics, including the United States, already had accepted the first two of these principles.<sup>20</sup> In fact the Kellogg-Briand Pact of Paris had gone further than the renunciation of "wars of aggression." It had renounced "war as an instrument of national policy" and had denied the benefits of the Pact to any party violating it; meaning by this the benefits of neutral conduct by the other parties? The real pith and core of the Argentine project was denial of intervention, either military or diplomatic. Here was the darling hope of Latin American jurisprudence, the goal of Argentine diplomacy, the rallying cry for Pan American leadership, the challenge, so it seemed, to the "Colossus of the North."

Saavedra Lamas having put forth his project as a panacea for peace and a true palladium of Pan Americanism, the Argentine Government, truant from Geneva since 1920,<sup>21</sup> because the nations would not accept its proposed amendments to the Covenant, turned back now to the League of Nations, where it might hope to have a directing role, safely exclusive from the United States, in any efforts of that organization for the settlement of American wars. On September 27, 1932 (after the League had invited Argentina to take a seat in the Council), the lower house of the Argentine Congress voted a resolution for full participation in the League, subject to the following reservation, intended as another blow at the Monroe Doctrine: "The Argentine Republic regards the Monroe Doctrine, mentioned as an example in Article XXI of the Covenant, as an unilateral political declaration which in its time rendered signal service to the cause of American Emancipation, and not as constituting a regional understanding as stated in the Article in question."<sup>22</sup>

Before this resolution was confirmed by the Argentine Senate on September 24, 1933, the United States had given its full approval and support to efforts of the League of Nations to end wars between its members in America: first, in the case of the new Leticia War between Peru and Colombia, finally, in the Chaco War itself. Thus it removed any fear anywhere that the Monroe Doctrine would be used to stop the ministrations of Geneva to bring peace in the New World. In the last days of the Hoover Administration, Secretary Stimson had expressed to the League of Nations approval by the United States of admonition to Peru to refrain from intervention by force of arms in the Colombian

territory of Leticia. This armed intervention had violated the Declaration of August 3, 1932, not to mention the later Anti-War Pact, both of which were signed by Peru. Stimson next warmly supported (February 27, 1933) the peace proposal made by a committee of the League Council, which required Peruvian forces to withdraw from Leticia. Later, in May, 1933, the United States accepted representation on a commission of three (United States, Brazil, and Spain) to administer the evacuated territory pending the final settlement.<sup>23</sup> This disarming reversal of policy by the Hoover Administration, continued by Roosevelt, served to cushion throughout Latin America the impact of Dr. Saavedra Lamas's blow at the Monroe Doctrine as stated in the Covenant. Whether, as seems likely, the new attitude of the United States was in response to Argentine attacks on the Doctrine and was designed to remove Latin American objections to it is a question which must await future historical research.

A parallel stroke of Argentine diplomacy, as a challenge to the United States, was to get the proposed anti-war treaty into the agenda of the approaching Montevideo Conference and thus bring up the subject of intervention for debate in a Pan American Conference in order to attack it there in full forum. Secretary Stimson, represented at the Governing Board of the Pan American Union by Assistant Secretary Francis White, accepted the Argentine proposal without demur: at the instance of Chile, but really upon the initiative of Argentina, the Governing Board of the Pan American Union added (January 4, 1933) the item "Anti War Pacts Argentine Plan"—to the draft of a program for the Seventh International Conference of American States that a sub-committee on program<sup>24</sup> had previously drawn up. From the hands of this sub-committee the Committee on Program, including Cordell Hull, accepted the Chilean, really the Argentine, proposal on May 22, 1933. Then the Governing Board confirmed the whole program on May 31, 1933, including the Anti-War Pact as item 4 of Chapter I on "The Organization of Peace."<sup>25</sup> These details are of significance because they show that the Department of State under the incumbency of Secretary Stimson, serving a retiring Republican President, as well as under Secretary Hull of President Roosevelt's succeeding Administration, accepted this important new item of the program without objections.

The principles of the Argentine anti-war project, as we have already suggested, were not such a challenge as had been presumed in Buenos Aires. By May of 1933 most of them had become good Washington dogma. By successive declarations, treaties, and other steps of policy



which we have been reviewing in these last chapters, the "Colossus of the North" had been preparing himself, ever since the last Pan American Conference at Havana in 1928, for baptism into the new Doctrine of Nonintervention. This being so, why should President Roosevelt, spokesman of the "Colossus," yield the palm of Pan Americanism to Dr. Saavedra Lamas? It would seem that the mighty North American self-convert had determined to step forth before the world as high priest of the new faith.

It is too early, of course, to determine conclusively, from documentary evidence, whether one of the President's purposes in his spectacular plea of May 16, 1933, to all the nations for a general nonaggression pact was to keep leadership of the new Pan American movement for the United States. It certainly seems most plausible that he was trying to steal Saavedra Lamas's Chaco thunder and roll it round the globe in Rooseveltian reverberations. The immediate effect of his appeal was to place the United States and its President, rather than Argentina and her Foreign Minister, before the people of both hemispheres as the champion of Nonintervention.

Dr. Saavedra Lamas was not to be out-maneuvered in this competition for Pan American prestige. He countered with a notable stroke. On the eve of the Montevideo Conference he induced six Latin American republics (Argentina, Brazil, Chile, Mexico, Paraguay, and Uruguay) to sign his Anti-War Treaty of Nonaggression and Conciliation, at Rio de Janeiro, October 10, 1933. The six signatories then invited the other American republics to adhere, also the nations of the Old World. Saavedra Lamas put his project before the Seventh Pan American Conference not as a mere item of the agenda, for discussion and deliberation, but rather as an actual treaty accomplished under Argentine leadership without consulting the United States, to be accepted or rejected by the others without further discussion.

Again the Argentine diplomatist had taken the lead in this rather preposterous race. The sooner it could be brought to a seemingly end the better for all concerned. A quiet, sincere, and friendly man, unambitious for fame, now stepped into the picture: Cordell Hull, Secretary of State of the United States.

## 4

At the Montevideo Conference, in striking contrast to Havana six years before, the delegation of the United States, headed by Secretary Hull,<sup>26</sup> assumed an inconspicuous role. They challenged nothing. They

did not indulge in debate. They spoke infrequently and briefly, though to the point. They did not fill a single one of the nine committee chairmanships. They made no attempt at leadership. That they left to the Argentine delegation, headed by Dr. Saavedra Lamas. President Roosevelt at Washington rested on his Good Neighbor pronouncements and appeals before the world at large for nonaggression and peace.

Most of Secretary Hull's influence was made felt unpretentiously, behind the doors of hotel rooms, in a sympathetic and cooperative way, for hemispheric peace and friendship. Until personal diaries, not to mention official archives, become available to the historian, we shall not know all the details of the shirtsleeves<sup>27</sup> conversations that took place outside the formal sessions of the Seventh Conference, its committees and sub-committees. From accounts of contemporary observers,<sup>28</sup> from the report of the United States delegation,<sup>29</sup> and from references in the minutes of the Conference itself,<sup>30</sup> it is apparent that Cordell Hull, in these informal diplomatic conversations with the chairman of the other delegations, notably with Dr. Saavedra Lamas, quickly reached a principal agreement: that the United States would adhere to the Argentine Anti-War Pact—which after all did not go so far in the outlawry of war as the Kellogg-Briand Pact of Paris—if the other republics, those which had not yet done so, would sign the earlier Pan American peace treaties.

In the informal preliminary conference with Dr. Saavedra Lamas, Secretary Hull said: "Mr. Minister, we want this program to be achieved. We want to support it and we will support it. We want the best man down here to put it forward so that we can give it our support." And, after a suggestive pause: "Now, Mr. Minister, if you don't do it, we are going to get the next best man to do it."<sup>31</sup>

On the floor of the Conference, Hull announced the readiness of his Government to accept the Anti-War Pact. Dr. Saavedra Lamas led a movement<sup>32</sup> to secure the missing signatures to the older peace treaties, beginning by pledging those of his own Government: to the Gondra Conciliation Convention of 1923, to the Pact of Paris of 1928, and to the inter-American treaties of arbitration and conciliation of Washington of 1929.

Amidst a rivalry of eloquent good will the respective chairmen of the delegations of hitherto negligent or recalcitrant states rose successively and pledged their governments to the signing of all these treaties. In this grand gesture, as in the exorcising of intervention that was to

follow, Saavedra Lamas was the lion of the Conference, Cordell Hull the lamb. But the lamb has outlived the lion.

It remained for the men of Montevideo to dispose of the one great issue of intervention, hitherto so corrosive. This had not been wholly dissolved by Article III of the Argentine Anti-War Pact, signed by six states with fervent promises of adherence from all the others, but not yet ratified by any.

We recall that the dissidence at Havana in 1928 had arisen over the proposed article of the rejected treaty on States: "No State has a right to interfere in the internal affairs of another." In the draft of the Convention on the Rights and Duties of States which the appropriate sub-committee<sup>33</sup> prepared at Montevideo, the corresponding article VIII read: "No State has the right to intervene in the internal *or external* affairs of another." Expansion of the Doctrine of Nonintervention to include foreign affairs as well as internal affairs was, as the reporter of the sub-committee explained, also an Argentine thesis.<sup>34</sup> This was the principle with which Saavedra Lamas fended off the proposal of the Washington Commission of Neutrals to implement the Declaration of August 3, 1932, by diplomatic intervention in the external affairs of Bolivia and Paraguay, but it had a wider purview than that.

It is doubtful whether the statesmen at Montevideo, including Saavedra Lamas, grasped the full significance of this now expanded dogma. It meant not only a prohibition of such interventions as had characterized the protective imperialism of the United States in the first third of the twentieth century, and were now being liquidated in a supposedly safer age. It could mean further, what doubtless no one really intended it to mean: that if one of the sovereign and equal American republics should negotiate away its independence, no third state could step in to stop it, no matter how much the process might endanger the security of the third state.

It is true that the Conference extolled and the convention confirmed, above all, the sovereign independence and equality of each state; none praised this principle more unequivocally than Secretary Hull<sup>35</sup>—but that did not answer the questions: What if a non-American power by infiltration and fifth-column tactics should secure control of the internal affairs of an American republic and turn it inside out? What if an American state should diplomatically barter its freedom away to a non-American state, thus placing other American states in danger? The Monroe Doctrine, expurgated by the Clark Memorandum, could no longer be an adequate answer, once the United States had agreed not to

intervene either in the internal *or the external* affairs of another American state. At Montevideo such questions did not seem immediate. Nobody asked them. They were too theoretical. The phrase fifth-column did not yet exist. The delegates, including those of the United States, were interested first and foremost in closing the door against further interventions by the "Colossus of the North." They did not think of the non-American implications of the revised article on nonintervention. Later at Lima in 1938 they did, as we shall see, and made some contingent declarations, but not treaties.

The outstanding \* convention signed at Montevideo in 1933 was not the Anti-War Pact but rather the Convention on the Rights and Duties of States. The text was recast from the two rejected projects of Havana: on States, and on the Fundamental Bases of International Law. The new draft of the first mentioned treaty stressed rights rather than duties. It did not rise to the standard of duties, laid down in the original Declaration of the Rights and Duties of Nations of the American Institute of International Law back in 1916. The convention of 1933 bore little resemblance to the declaration of 1916 announced in Washington shortly after the foundation of the Institute at the initiative of the Carnegie Endowment for International Peace.

Most emphatically the Convention on the Rights and Duties of States was a sweeping triumph for Latin American jurisprudence and diplomacy on such cardinal points as recognition, equality, inextinguishability of rights, nonintervention, the Calvo Doctrine, inviolability of territory, and refusal to recognize the fruits of force. In voting to accept this treaty, Secretary Hull made a lengthy statement <sup>36</sup> which amounted to

\* The other conventions of Montevideo were largely of a nonpolitical technical nature: (1) nationality; (2) nationality of women; (3) extradition, with an optional clause; (4) political asylum; (5) revision of textbooks of history (for more peaceful inter-American edification); (6) an additional protocol to the Washington (1929) treaty of conciliation creating, in anticipation of any controversy, permanent bilateral commissions of inquiry and consultation. The United States signed and ratified (July 13, 1934) the second, third, and sixth of these, with certain reservations of a technical nature. In the Convention on the Nationality of Women the contracting parties stipulated that there should be "no distinction based on sex as regards nationality, in their legislation or in their practice." To this the United States delegation attached a reservation subjecting it to Congressional action. Because of the uncertainty of pending legislation in Congress, the plenipotentiaries of the United States did not sign the convention on nationality. They also abstained from signature of the Convention on the Teaching of History, if only because the federal government lacked powers over education. For the Conventions see *International Conferences of American States, First Supplement, 1933-1940*, pp. 16-124.

this: the United States reserved its rights by "the law of nations as generally recognized."

The other delegations accepted the treaty unreservedly, with great enthusiasm and some ostentation.\* Secretary Hull still clung to the law of nations. Despite the signatures of nineteen<sup>37</sup> states unreservedly to the new convention, this single Hull reservation left the new doctrines in doubt insofar as they had not been *generally* recognized and accepted in international law. The reservation applied not only to the Doctrine of Nonintervention, but also to all other doctrines of the treaty.<sup>38</sup>

Before we take leave of Montevideo we must note particularly one of the ninety-five recommendations, resolutions, and declarations that the twenty-one republics adopted. Many of these were polite homages, pious wishes, or earnest exhortations, so satisfying to the American temperament, and indeed so praiseworthy in every way except their lack of binding force. In a later chapter we shall pay particular attention to Secretary Hull's reciprocity resolution, adopted by the conference. At this point we should not fail to note resolution No. 90, presented by J. Reuben Clark, Jr., of the United States delegation. It provided for the resuscitation and permanent maintenance of the International Commission of Jurists, which had lapsed into complete desuetude following its labors at Rio de Janeiro in 1927. It declared for a national commission in each country to study the progressive codification of international law, and a commission of experts, seven in number, with a general secretariat—the new juridical division in the Pan American Union—to serve these bodies.<sup>39</sup> Once before the United States in 1923 had restored the spark of life to the Commission of Jurists, when it had all but passed away after the First World War, and thus made possible the Projects of Rio and their novel doctrines, written into treaties at Havana and Montevideo. Now again in 1933 this resolution of North American initiation kept the Commission alive for future labors in the codification of American international law. Since Montevideo the commission of

\* When the Committee on Problems of International Law voted, by delegations, on recommending the treaty for adoption, the United States was the first to vote. Hull voted for the treaty with the reservation. There was no applause in response to his vote. As each of the other delegates voted they made a point of casting their votes "without reservation," in contrast to the United States, sometimes with gratuitous flourishes. In every case there was great applause in the hall and galleries. For instance the Haitian delegate said: "With all my heart." The Argentine delegate said: "Affirmative and without reservations and especially for nonintervention." The Nicaraguan delegate said: "Heartily and unconditionally." The Cuban delegate said: "For the affirmative, for United and Free America." *Minutes and Antecedents of the Seventh Conference*, C. II, 127.

experts has served as a convenient catch-all for premature projects that can be gracefully disposed of by reference for further study. The more exalted body, the International Commission of Jurists, its designation changed at Lima to the International Conference of Jurists, has not yet been organized.

After Montevideo it still remained a task for Latin American diplomacy to tie down the United States absolutely and unreservedly to the Doctrine of Nonintervention, as defined in Article III of the Argentine Anti-War Treaty, and in Article VIII of the Inter-American Treaty on the Rights and Duties of States. This was done at the Special Inter-American Conference for the Maintenance of Peace which assembled at Buenos Aires in December, 1936, at the suggestion of President Franklin D. Roosevelt.

## CHAPTER XVI

### *The Triumph of Absolute Nonintervention* (1933-1937)

#### I

CORDELL HULL honored the pledge he had made at Montevideo to accept the Argentine Anti-War Treaty—subject to a reservation, a not unreasonable reservation, later formulated by the Secretary himself: “In adhering to this treaty the United States does not thereby waive any rights it may have under other treaties or under international law.” The Senate of the United States promptly ratified (June 15, 1934) Saavedra Lamas’s treaty with the Hull reservation, without a record vote. In fact, the United States was the first of all, including the original six signatories, definitively to conclude the treaty by deposit of ratified adherence at Buenos Aires. More than a year later Argentina, and next Chile, ratified the Anti-War Treaty, and it went into effect between the parties, who rapidly grew in number as one after another of the republics ratified their original signatures or adherences.<sup>1</sup>

The United States also ratified without a record vote of the Senate (July 1, July 13, August 18, 1934) the other conventions signed by its delegation at Montevideo, including the all-important one on the Rights and Duties of States. When advising consent and ratification to this last treaty, the Senate repeated the reservation which Secretary Hull had originally appended at the Conference, reserving rights under international law as generally understood and accepted by the nations of the globe.

On his part, Saavedra Lamas signed the Kellogg-Briand Pact of Paris and the various Pan American peace treaties on behalf of his government. That was all. The government of the Argentine Republic never ratified any of them.

Notwithstanding the refusal of the Argentine and some other Latin American governments to ratify the Pan American peace treaties belatedly signed at Montevideo, the United States continued with the Good Neighbor Policy that had crystallized in 1933. We shall see in this chapter how the "Colossus of the North," in order to solidify that policy on a hemispheric foundation, unreservedly renounced any remaining right of intervention, direct or indirect, or of whatever nature, that may have lingered in international law or have been secured by treaty.

Back in 1928 Franklin D. Roosevelt had written: "Single-handed intervention by us in the internal affairs of other nations must end; with the cooperation of others we shall have more order in this hemisphere and less dislike." This disclaimed only single-handed intervention. Immediately after the Montevideo Conference, President Roosevelt made certain declarations which, while reassuring to Latin America, suggested that it was only *armed* intervention in *internal* affairs that had been abjured, and that in the future a breakdown in law and order in one republic, endangering the others, should be the *joint concern of a whole continent*.<sup>2</sup> If anarchy in one American republic were to become the joint concern of all, then would not this concern lead to joint consultation and even joint intervention, perhaps joint merely in a nominal sense, something like a Pan American mandate to the United States? Franklin D. Roosevelt's statements seem to suggest the substitution, in place of the discarded Corollary of Theodore Roosevelt, of some sort of inter-American obligation \* to maintain, when necessary, the orderly processes of government in broken-down republics of this Hemisphere. International law, as generally accepted and understood, would certainly have sanctioned such action. And the principal force of any collective intervention, certainly in the Caribbean region, would be the United States. Did the President's statements look toward a Pan American mandate, for future interventions when really necessary and justifiable in international law?

\* The language of Article VIII of the Treaty on the Rights and Duties of States, "No state," etc., is unequivocally singular. That of the Additional Protocol of 1936 (see below, p. 289) "any one state" is even more explicit. In a book published in Bogotá, in 1930, Dr. J. M. Yepes, of the Colombian delegation to the Sixth International Conference of American States at Havana, where this article had come up for discussion in the proposed Treaty on States, made the point, in arguing for acceptance of the treaty, that this article would not rule out a collective intervention. J. M. Yepes, *El Panamericanismo y el derecho internacional*.



Whatever the President may have intended by these statements, the Roosevelt Administration now proceeded to demonstrate its good faith in having abjured definitively armed intervention by itself alone. One by one, in the months after Montevideo, it proceeded to divest the United States of existing treaty rights to intervene in Caribbean "protectorates": Cuba, Panama, Haiti, and the Dominican Republic.

The Cuban situation doubtless had inspired the President's allusion to joint obligations. In this strategic island anarchy threatened to triumph once more over liberty. Here, of course, the United States had a perpetual right by treaty to interfere directly in the internal or external affairs of the Republic of Cuba, according to the terms of the Platt Amendment. Since 1902 it had done so repeatedly. Furthermore, by means of that article of the Platt Amendment which gave the right to limit the Cuban debt to the reasonable capacity and resources of the island, the United States had measured out the foreign credits of Cuba—mostly to North American capitalists. Caribbean republics, not to mention other states small and great, always want to borrow. Control of the Cuban fiscal portfolio was a means of ensuring good conduct from existing constitutional Cuban governments. They remained friendly to United States creditors and scrupulous toward their obligations. By 1933, over one billion dollars of American capital was invested in Cuba, one half of it in the sugar industry, the greater part of which was owned by that capital.<sup>3</sup> Because Cuba, through no fault of commission or omission<sup>4</sup> on the part of the United States, was a one-crop country, it can be said that private capital of United States citizens and corporations dominated the economy of the island.

If ever there was a temptation for a government to seek to use the economic interests of its nationals to advance the political acquisitiveness of the state, it presented itself to the United States in the case of Cuba, that neighboring island so strategically vital to the security of the Continental Republic. Despite the treaty right to intervene for the protection of life, property, or individual liberty, despite the heavy capital interest of its nationals—heaviest in Cuba of all Latin America—despite the vital strategical relationship, and notwithstanding continual importunities of Cuban "outs" for assistance to get in, and of "ins" for help to keep their hold on political power, the United States Government never took the view that it guaranteed the security of Cuban bonds or direct investments held by its nationals. Its occasional interventions, abundantly supported by treaty right, were reluctant and temporary. They conformed on the whole to the assurances of Elihu Root in 1903

that the Platt Amendment would be used to intervene only in cases of "great disturbances" that would menace Cuban independence or threaten an outbreak of anarchy. This forbearance shows lack of a fundamental advancing urge like that of the imperialist powers of the Old World in Asia and Africa.

Such abstinence, and the eventual abrogation of the Platt Amendment altogether, to which we are now coming, is the complete answer to those critics who so unfairly and falsely accuse the United States of plotting to divide and conquer Cuba, critics who support aspersion by a document now known to be spurious;<sup>5</sup> and who further suggest to the Pan American sisterhood of republics—as Professor Portell Vilá did when Cuban delegate at Montevideo, and later in his published history—that the Platt Amendment had been merely a mask to cover ultimate annexation.<sup>6</sup> If ever there were an emblem of pride on the escutcheon of American idealism, it is the attitude in our century of the Continental Republic toward Cuba. The urge to annex was there, no doubt, for a century, but it was bridled, curbed, and halted by a great and historic self-denial, checked by the common people of the United States and their opposition to imperialism.

Cuba is also an example of how President Wilson's policy of withholding recognition, as a sanction against the intrusion of unconstitutional or revolutionary governments, could operate in a way opposite to that intended. We have seen how in the tropical countries of the Western Hemisphere, not to mention other parts of the globe, governments constitutionally in power often stay there by using their control over the police and army to dominate elections, amending, bending or twisting the constitution under color of legality to cover their designs. Such was the case with the Machado Government of Cuba. Although always friendly to the United States, this constitutional President became so arbitrary, oppressive, and tyrannical toward citizens in opposition that it was an embarrassment for any government to remain his friend. It was far worse for a Cuban citizen to be his enemy. Body fragments of political dissidents are said to have been found in the bellies of sharks caught in the neighborhood of Morro Castle, so horrendous a proof of the fate of nonconformists that the captain of the Port of Havana issued an order prohibiting shark fishing in those waters.<sup>7</sup> Had anyone been able to drain the harbor and scan the bottom for weighted corpses, the world doubtless would have been even more horrified. Under these circumstances, a rising tide of Cuban revolutionary feeling threatened

to overthrow the tyrannical government that clutched in its fist the Pearl of the Antilles.

Fortunately by this time the Hoover Administration had repudiated the Wilson nonrecognition policy, except where it rested morally on the regional peace structure of Central America, based on the Washington treaties of 1907 and 1923. Secretary Stimson went further than this on January 26, 1932: he stated that the Platt Amendment, although it gave a right, placed no obligation on the United States to intervene.<sup>8</sup> President Roosevelt shared the same reluctance and shrank from the duty, if it were a duty, of intervening in Cuba to preserve life, property, and individual liberty. As President Coolidge had sent Colonel Stimson to Nicaragua and Dwight Morrow to Mexico to settle internal peace without further intervention, so in 1933 President Franklin D. Roosevelt sent Sumner Welles to Cuba, with the title of Ambassador, to mediate a settlement between the contending factions. Welles' solution of the disturbed politics of Cuba was the suggestion to President Machado that he ask for a leave of absence from the Presidency!

The result of Mr. Welles' appearance on the scene was the elimination of Machado, followed by an army revolt and a rapid succession of three *de facto* presidents, too feeble or too fleeting on the blurred and rapidly unrolling film of Cuban revolution to command general recognition. The longest-lived of these (September, 1933-January, 1934), recognized only by Mexico, Uruguay, Spain, and Peru, was that of Professor Ramón Grau San Martín, of the faculty of the University of Havana. He commanded the support of the radical ABC students' organization, and at first of the army under Sergeant Batista. Until Grau's authority should become more certain, the United States refused to recognize him. Professor Grau characterized this delay as "intervention by inertia"! <sup>9</sup>

It was Grau's *de facto* regime that appointed the Cuban delegates to the Montevideo Conference. Grau soon faced a formidable agrarian insurrection. Workers' councils on the soviet model began to take over private enterprises and attempt to operate them. Over the protests of the United States, the Grau government seized American-owned power plants and sugar mills closed down by labor troubles,<sup>10</sup> but it was unable to stabilize the elements of revolt.

Although anxious to avoid intervention, even under treaty rights of the Platt Amendment, President Roosevelt nevertheless had surrounded the island with warships, and mobilized marines ready to land in Cuba if worse should come to worst. After the fashion of Woodrow

Wilson, he held diplomatic discussions,<sup>11</sup> none too successfully, with representative Latin American governments, seeking to convince them that anarchy in Cuba would be the joint concern of all American republics. The Argentine Government, remote from the scene of disorder, and consistent with its traditional policy of absolute nonintervention, conspicuously opposed any kind of intervention in Cuba in any event. Dr. Saavedra Lamas, when signifying at Montevideo the intention of his government to vote for the principle of nonintervention, had gone out of his way, in his hour of personal triumph, to add, almost as an admonishment to the United States, that in the judgment of the Argentine Government, "treaties and conventions authorizing intervention or restricting sovereignty should disappear."<sup>12</sup> His government was unwilling to lend itself to any collective sanction for intervention in Cuba, no matter what happened there.

After a conference in January, 1934, between Jefferson Caffery, personal agent of President Roosevelt (succeeding Sumner Welles), and Colonel<sup>13</sup> Batista, leader of the army, a new coalition government came into existence under Colonel Mendieta as provisional president, commanding wider support, including that of the revolted army. The United States, France, Italy, Great Britain and the self-governing Dominions all recognized this government on January 22, 1934. The Latin American republics followed suit. Order and tranquillity in Cuba seemed to have been the joint concern of the United States and the European powers more than of the United States and the Latin American nations. After January, 1934, Colonel Batista was the strong man of Cuba, the person behind the successive provisional governments. With him Cuba was not free from arbitrary power; but in 1940 he was made President after a Cuban election.

Immediately after the recognition of the new government, the naval forces left Cuban waters, and the United States quickly, we may say hastily, negotiated a new treaty on Cuban American relations, signed May 29, 1934, speedily ratified by the Senate May 31, without a record vote. This treaty abrogated the old Perpetual Treaty of Relations of 1903, gave up the right of intervention altogether, abandoned the restriction on Cuba's liberty to negotiate treaties impairing her independence or sovereignty, and left her free to borrow all the money she could get anywhere. It retained the lease of the naval base at Guantánamo Bay, validated all acts during military interventions of the United States, and as a grand anti-climax of supererogation recognized the re-

reciprocal right of either country to lay down in its own territory sanitary embargoes in case of epidemics of contagious diseases.

Abolition of the Cuban protectorate was a spectacular demonstration of the good faith of the United States in practicing the Doctrine of Nonintervention. To sophisticated diplomatists, particularly to those of the Old World, it was an incredible self-denial in a vitally strategic island full of property owned by United States nationals. A further advance in the Doctrine of Nonintervention was the abandonment in January, 1934, of the last vestige of the Wilsonian sanction of nonrecognition, to which the Neighbor of the North had clung as long as the Central American peace structure, made in Washington in 1907, rebuilt there in 1923, had remained intact.

The pillars of this regional edifice began to buckle in December, 1931, when an army coup overthrew the elected Government of El Salvador, and installed Mr. Martinez, Minister of War (he was also Vice President), as President. The new regime's authority and control over the whole republic was indubitable, though not constitutional. Immediately Mexico and several South American republics recognized it, but the other four Central American states and the United States at first refused to do so, governing themselves by the quintuple treaty of peace and amity of 1923.

Nevertheless, the revolutionary government continued to function. It pointed out that El Salvador had ratified the treaty of 1923 subject to a reservation of the article withholding recognition from revolutionary governments (Article II). Costa Rica presently gave notice that she would not observe the treaty beyond its term of ten years, ending January 1, 1934, and El Salvador did likewise. On January 2, 1934, Costa Rica, followed by the other Central American governments (January 25), recognized the Salvadorean Government. The five states then met at Guatemala City in April, 1934, and made a new Treaty of Central American Fraternity, a pact of peace and nonaggression, based on the inter-American formulas of the day. The pact omitted all provision against recognition of revolution, and at the same time recognized that the political union of Central America was the supreme aspiration of its people.

Whether the supreme aspiration of the people of Central America is possible when each state retains the sovereign right of revolution may be very doubtful; but repudiation of the treaty of 1923 by all five parties to it released the United States from any moral obligation to follow its principles any longer. Promptly the Washington Govern-

ment recognized Martinez, January 26, 1934. Thus died the Tobar Doctrine, so hateful to Latin American jurisprudence and diplomacy.<sup>14</sup> Thus disappeared Woodrow Wilson's nonrecognition policy. In Central America it had been a help to peace and order, also a moral commitment that might lead to intervention as it did in Nicaragua. Events in other countries of Latin America, in Peru and in Cuba, for instance, had shown that the Wilsonian dogma could be as much a prop to tyranny as a bulwark of constitutional liberty. Had the United States not discarded that policy, how could it have recognized the new governments springing up all over South America in the pandemic of revolutions in 1930-1933? How indeed could it have met with them in the Conference at Montevideo? \*

Although the United States has abandoned Woodrow Wilson's implement of Latin American policy, a vestige of this policy remains incorporated in the inter-American Treaty of 1928 on the Duties and Rights of States in the Event of Civil Strife, now ratified by the United States, Brazil, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Haiti, Mexico, Nicaragua, Panama, the Dominican Republic, and Uruguay. Article I, paragraph 3, obliges the parties "to forbid the traffic in arms and war material, except when intended for the Government, while the belligerency of the rebels has not been recognized, in which latter case the rules of neutrality shall be applied."

After the abrogation of the Platt Amendment, there still remained three Caribbean countries in which the United States had a treaty right to intervene: Panama, Haiti, and the Dominican Republic. In Panama the treaty of 1903 conferred the right to employ at discretion armed forces for the safety or protection of the canal, or ships using it, or the railway and auxiliary works, as well as to acquire land and property for the operation and protection of the Isthmian passage. Platt Amendment articles had been incorporated in the treaty of 1916 with Haiti, due to expire in 1936; and a supplementary protocol of 1919, authorizing flotation of an additional loan in the United States, had extended the American receivership through the lifetime of the new bonds, that is, to 1952. The agreement of 1933, by which evacuation of forces from Haiti took place in November, 1934, had left intact this treaty and the protocol. The Dominican treaty of 1924 (ratified 1925) scheduled to

\* The Montevideo Conference, originally scheduled to meet in 1932, had been postponed one year by the Governing Board of the Pan American Union. It is doubtful whether the proposal for an Anti-War Pact would have been in the Agenda had it met in 1932 as originally scheduled.

terminate in 1945, had also introduced Platt Amendment articles, modeled on the Haitian treaty of 1916, with some extensions to protect new treaty services set up by that instrument.

As if dutifully to mind the admonishment of Dr. Saavedra Lamas at Montevideo, the Roosevelt Administration now set about the diplomatic labor of dropping these rights and relinquishing the protectorates themselves. Abandonment of the right by treaty to intervene directly in Cuba, signature (March 2, 1936) of the new treaty with Panama, and pursuit of negotiations with Haiti and the Dominican Republic for the same purpose, together with complete renunciation of the Wilsonian policy of nonrecognition of revolutionary governments, were rapid steps along the homestretch to absolute nonintervention. Though the Panama treaty remained to be ratified by the United States Senate, and new Haitian and Dominican treaties were still to be concluded, the end of the road suddenly came into sight at Buenos Aires in December, 1936.

### 3

The origins of the special inter-American Conference for the Maintenance of Peace were principally these: senseless rivalry, soft-pedal it as we may, of Argentina and the United States for Pan American leadership, exemplified by the Chaco War and the Montevideo Conference; recalcitrance of numerous signatories,<sup>15</sup> despite the eloquent pledges at Montevideo to ratify the inter-American peace treaties; Secretary Hull's New Reciprocity, of which more in a later chapter; and the new neutrality policy of the United States enacted in the summer of 1935.

President Roosevelt's proposal of January 30, 1936,<sup>16</sup> for a special inter-American Conference looked to the full ratification, coordination and enforcement of the existing peace machinery; to inter-American economic amelioration; to the furtherance of cultural rapprochement as an aid to political solidarity; and to fending off from this side of the oceans the disastrous effects of strife in the Old World.<sup>17</sup>

The Conference opened with a wealth of diplomatic pageantry. The magnetic President Roosevelt, fresh from the triumph of his re-election, made a voyage to Buenos Aires aboard a battleship to attend the first session. The Argentinos gave him a clamorous welcome. Behind the diplomatic stage-setting the international scene at Buenos Aires was to witness a contest between two proposals, of the United States and Argentina respectively. Secretary of State Cordell Hull had a plan for Pan

Americanizing the recent neutrality legislation of the United States and implementing it with an inter-American diplomatic committee. Dr. Carlos Saavedra Lamas had drafted a masterly project for voluntary collaboration with the measures and sanctions of the League of Nations by non-member states which had accepted the Kellogg-Briand Pact of Paris or the Saavedra Lamas Anti-War Pact, or both.

Dr. Carlos Saavedra Lamas, elected Permanent Chairman of the Conference at the nomination of Cordell Hull, chairman of the United States delegation,<sup>18</sup> was now consciously at the height of his fame. All of the American republics, and a number of small non-American states, were parties to his celebrated pact of 1933. It was he who had brought truant Argentina back to Geneva. It was he who had presided at Buenos Aires over a new neutral commission of mediating neighbors (composed of representatives of Argentina, Brazil, Chile, Peru, the United States, and Uruguay) which, operating at least technically within the framework of the League of Nations, had brought about the end at last of the Chaco War.\* He had just received the Nobel Peace Prize for his magic anti-war treaty; it was awarded to him *in absentia* at Stockholm on December 12, 1936, during the deliberations of the Buenos Aires Conference.

In addition to his formula for collaboration with the League of Nations, Saavedra Lamas's new pact called for consultation *by negotiation* among the contracting parties in case of violation by any of them of the principles or obligations of the various existing inter-American peace treaties, to none of which, except the Saavedra Lamas Anti-War Treaty, has Argentina ever been a party. In his proposed new pact he restated and extended these treaties and their principles so as to limit foreign nationals to an equality of rights before the law with native nationals, with some highly tenuous restrictive exceptions against denials or delays of justice. Finally he stipulated for absolute nonintervention, specifically outlawing "excessive diplomatic intervention." Consultation through regular diplomatic channels might lead conceivably, under this proposed treaty, to sanctions against violators in the shape of embargoes of "armaments" and of the raw materials of war—like coal and petroleum—

\* By the armistice of June 14, 1935. The ultimate peace terms were not signed until July 9, 1938. These submitted the boundary line between Paraguay and Bolivia to the arbitration of the presidents of the six mediating states. Their decision, announced October 10, 1938, gave nearly all of the Chaco to Paraguay. It may remain a matter of some debate whether this award violated the principle of the Declaration of August 3, 1932, and a similar declaration in the Saavedra Lamas Anti-War Pact, against recognizing territorial conquest.



against either *the one or the other* of the belligerents, or against a violator of nonintervention. There was also a provision for endowing commissions of conciliation with preventive powers, non-military and military. Absolute nonintervention was the principal purpose of the proposed treaty. Such was Dr. Saavedra Lamas's latest peace plan. It looked away from the United States, from Buenos Aires to Europe.<sup>19</sup>

The plan <sup>20</sup> of the United States, on the other hand, looked not toward Europe but away from that continent and its distresses. It called for a Permanent Inter-American Consultative Committee, composed of the Foreign Ministers of the twenty-one republics. Upon the occasion of hostilities between any of the parties this Committee would determine whether a state of war existed. If it should find that hostilities constituted a state of war, then the neutral parties to the treaty agreed to enforce, against *both* belligerents, embargoes of credits, and of arms, ammunition and implements of war, the last to be defined by an attached list similar to the list drawn up by the Department of State as a part of the United States neutrality laws.<sup>21</sup> No party against which such embargoes should be decreed could regard them as a violation of existing treaties of commerce.\*

The United States project further declared that one of the purposes of the convention was to provide a means whereby the American republics "with full recognition of their juridical equality as sovereign and independent states and of their general right to individual liberty of action, may nevertheless in every way consistent therewith, *take counsel together whenever emergencies arise which affect their common interests.*" <sup>22</sup> This suggested the possibility of a concerted all-American front against a menace arising from outside the New World. Unlike the Argentine project, it did not provide positively for collaboration with the League of Nations; it merely stated that none of its stipulations was to run contrary to the existing obligations of any party to other multilateral treaties (i.e., the Covenant of the League of Nations). It was not only a projected Panamericanization of the recent United States neutrality legislation; it was also an effort to bind together, within their sovereign independence and juridical equality, the republics of the New World, among which the United States was undeniably the most powerful, for the purpose of holding off a European conflagration from

\* Italy had protested that the embargo of 1935 was a violation of her treaty of 1871 with the United States which prohibited embargoes against either party. The United States had numerous other treaties of this kind embarrassing to neutrality embargoes.

American shores by means of a solidary but diplomatically maneuverable neutrality.

The sentence printed above in italics, together with the proposed permanent Inter-American Consultative Committee, led to most resolute opposition from the Argentine delegation, which considered it an attempt to create a kind of American League of Nations working in opposition to Geneva. For the sake of harmony<sup>23</sup> Secretary Hull dropped the idea and accepted, along with the other delegations, a compromise between the original United States project and the draft of the Argentine Minister of Foreign Affairs and Worship, Chairman of the Conference, winner of the Nobel Peace Prize.

The resulting Convention to Coordinate, Extend and Assure the Fulfillment of the Existing Treaties Between the American States was limited strictly to inter-American affairs. It contained no permanent Consultative Committee. It prescribed no obligation, in any event, to embargo munitions or credits to belligerents, although this might be "considered." As to consultation, it referred to another treaty signed the same day, December 23, 1936, for the Maintenance, Preservation, and Reestablishment of Peace, which stipulated mutual consultation, without specifying the ways and means thereof, "in the event of war or a virtual state of war between American States." \* Most of these signatories to the new treaty were already members of the Kellogg-Briand Pact of Paris, one of the "Existing Treaties," by which they agreed not to resort to war as an instrument of national policy, and not to seek the solution of controversies between them by any other than peaceful means!

Secretary Hull's compromise left only a very wordy husk of a treaty that did not create much if anything more, perhaps less, than already had existed in the treaties which it sought to coordinate, extend, assure, and fulfill.

This husk of a treaty did not say anything about Dr. Saavedra Lamas's formula for absolute nonintervention, the principal feature of his draft. But that had not disappeared like the Permanent Inter-American Consultative Committee. We shall meet it again in a moment.

The general feeling shared by all except the Argentine delegation,

\* In the event of such a consultation to prevent war between American republics, the parties pledged themselves in the "Coordination and Fulfillment Treaty" not to have recourse to any military action whatever while such consultation was in progress, nor for six months thereafter.

that the republics of the New World ought to do something to safeguard their *territorial integrity and political independence* (if we may use the unforgettable phrase of Woodrow Wilson's proposed Pan American liberty pact of 1915), that they ought to agree on some way of protecting their *common interests* against all emergencies (to use the language of the United States treaty draft of 1936) including those that might present themselves from outside the New World, found expression in a statesmanlike project of the Brazilian delegation, led by Mr. José Carlos Macedo Soares. Couched in Monrovia and Wilsonian phraseology, and echoing Bolivarian backgrounds of thought, it combined the Doctrine of Nonintervention with the Monroe Doctrine<sup>24</sup> and made a threat to either a ground for common consultation. If it could not be said that this would "Panamericanize" or "continentalize" the Monroe Doctrine, at least it would have prepared the way for common defense in case of emergency; meanwhile there was nothing to prevent the United States from acting independently against a non-American power to defend the Monroe Doctrine, if consultation failed or there were no time for it. Nonintervention had already been accepted in principle since 1933 by the American republics. Since Woodrow Wilson's time the concept of Panamericanizing the Monroe Doctrine had enjoyed increasing popularity among intellectuals all over the New World, including the United States, particularly after the repudiation by the Coolidge and Hoover Administrations of the Corollary of Theodore Roosevelt.<sup>25</sup> The Brazilian proposal was therefore acceptable to the United States.

Dr. Macedo Soares's project united all the American republics. The Conference split the Brazilian articles into two documents: one, a treaty for the Maintenance, Preservation, and Re-establishment of Peace, to which we have just referred, the other, an Additional Protocol Relative to Nonintervention. These two instruments now support the arch of inter-American solidarity. On that arch rests the present Latin American policy of the United States.

The Convention for the Maintenance, Preservation and Re-establishment of Peace, of December 23, 1936, first provides, as we have already noticed, for consultation "in the event that the peace of the American Republics is menaced." In case it is threatened by a war between the American republics, they shall consult "for the purpose of finding and adopting methods of peaceful cooperation." "In the event of an international war outside of America which might menace the peace of the American republics, such consultation shall take place to

determine the proper time and manner in which the signatory states,<sup>26</sup> if they so desire, may eventually cooperate in some action tending to preserve the peace of the American Continent." In neither case was it indicated just how the consultation should take place, but in the second case the stipulation for consultation was much more contingent and attenuated than in the first. Under such language it was not certain that consultations would occur at all. But they did materialize, in later years of menace, and when they came to pass, it was by periodic meetings, momentous meetings, of the Foreign Ministers of the American Republics, just as the United States plan had projected.

The Special Protocol Relative to Nonintervention overrode, with the tacit consent of the United States, the lengthy reservation which Secretary Hull made at Montevideo and which the United States Senate repeated when ratifying the Treaty on Rights and Duties of States. That is to say, it overrode the reservation insofar as that proviso concerned Nonintervention; it is important to note that it did not wipe out the effect of the Hull reservation on the other articles of the Treaty on the Rights and Duties of States. The epoch-making Protocol, which now has treaty force, ratified by sixteen of the republics (not including Argentina, Bolivia, Paraguay, Peru, and Uruguay, up to January 1, 1943) reads:

"Article I. The High Contracting Parties declare inadmissible the intervention of *any one* <sup>27</sup> of them, directly or indirectly, and for whatever reason, in the internal or external <sup>28</sup> affairs of any other of the Parties.

"The violation of the provisions of this Article shall give rise to mutual consultation, with the object of exchanging views and seeking methods of peaceful adjustment.

"Article II. It is agreed that every question concerning the interpretation of the present Additional Protocol, which it has not been possible to settle through diplomatic channels, shall be submitted to the procedure of conciliation provided for in the agreements in force, or to arbitration, or to judicial settlement."

A brilliant stroke of Brazilian diplomacy had succeeded in mating the Latin American Doctrine of Nonintervention, in its most absolute sense, which Argentina had championed so undiplomatically, to the Monroe Doctrine of the United States, which the Republic of the South had so recently condemned.

Before we turn our attention from the Buenos Aires peace treaties we must note the Declaration of Inter-American Solidarity and Cooperation. The origins of this principle, the heart of inter-American

solidarity in the Second World War, go back to the First World War. Following the entry of Brazil into that conflict, the Government of Uruguay proclaimed, June 18, 1917, the principle of inter-American solidarity as the criterion of its foreign policy, "understanding that the grievance against the rights of one country would be considered as a grievance by all and provoke them to uniform and common reaction." Accordingly it announced "that no American country, which in defense of its own rights should find itself in a state of war with nations of other continents will be treated as a belligerent."

Pursuing this concept of continental solidarity, Uruguay repealed all neutrality laws so far as the United States, Cuba, Panama, and Brazil were concerned.<sup>29</sup> Successive decrees similarly favored other American belligerents, and eventually the non-American enemies of the Central Powers. The attitude of Uruguay was reflected after the war in a resolution of the Fifth International Conference of American States at Santiago de Chile in 1923 entrusting to the Governing Board of the Pan American Union the special task of studying bases, suggested by any republic for mutual association and the promotion of common interests, "including the matter of making more effective the solidarity of the collective interests of the American Continent." Nothing came of this at Havana in 1928 or Montevideo in 1933. The Saavedra Lamas Anti-War Pact of 1933 invoked a neutral and solidary attitude only in case of inter-American wars. The Uruguayan idea came up again at Buenos Aires in 1936, in the form of a convention proposed by the Central American delegations. It contained a highly significant Article 2:

"All of the American nations will consider as an attack upon themselves individually an attack which may be made by any nation upon the rights of another, and such a situation shall give rise to an agreement or consultation between the foreign offices with the object of determining what position is to be taken or, it may be, the rules of concerted neutrality."

The attitude of Argentina,<sup>30</sup> opposed to any implementation specifically of the process of consultation, made it necessary to change the Central American proposal into a declaration instead of a treaty, and to pull the teeth from Article 2. After an appropriate preamble, the Declaration stated:

"1. That the American Nations, true to their republican institutions, proclaim their absolute juridical equality, their unqualified respect for their respective sovereignties and the existence of a common democracy throughout America;

"2. That each act susceptible of disturbing the peace of America affects each and every one of them and justifies the initiation of the procedure of consultation provided for in the Convention for the Maintenance, Preservation and Re-establishment of Peace, signed at this Conference; and

"3. That the following principles are accepted by the American community of Nations: (a) Proscription of territorial conquest and that, in consequence, no acquisition through violence shall be recognized; (b) Intervention by one State in the internal or external affairs of another State is condemned; (c) Forcible collection of pecuniary debts is illegal; and (d) Any difference or dispute between the American nations, whatever its nature or origin, shall be settled by the methods of conciliation, or unrestricted arbitration, or through operation of international justice."

As finally adopted this resolution did not state anything which had not been confirmed by the great multilateral peace treaties. The suppressed second article has been cited as anticipating the all-American (almost all) front of all for one and one for all created at Lima (1938), Panama (1939), Havana (1940), and Rio de Janeiro (1942). This indeed can be construed out of it,<sup>21</sup> but the circumstances of the times, and the language of the proposed article, suggest rather that in 1936 it was intended more as a safeguard against the United States than against a non-American nation. In signing it the United States paved the way for the all-American front in the Second World War.

Now the diplomatists had done all that they could do, at least for the time being. It remained for the peoples to follow and to give faith. So far as treaties could bind and protect, henceforth the republics of the New World had nothing to fear from anyone among themselves, least of all from the "Colossus of the North," as they shaped their solidary attitude against any threat to their peace or to their territorial integrity or political independence from a non-American power.

The Argentine Government did not ratify any of the inter-American peace treaties in any way, shape or manner, even those which it signed in its own capital, not even the Additional Protocol Relative to Non-intervention. Where it could not lead it would not join. It clove to the Old World, the fount of its vaunted culture, the principal buyer of its goods, the source therefore of its wealth. The Senate of the United States, without debate and without record vote, promptly and unreservedly ratified<sup>22</sup> the treaties and protocol of Buenos Aires—despite the fact that the delegation had not contained a single Senator. If the United States did not lead at least it joined, and most wholeheartedly. The Old World was equally the origin of North American culture, and remained the principal taker of North American exports, too; but the

United States did not hesitate to pledge its troth to the political heritage and independence of the New World in a fraternity of equal, inviolable, sovereign republics.

There were other notable conventions\* signed at this Conference, some of which, like that proposed by the United States for the promotion of cultural relations, we shall consider in a proper place. There were many declarations, like those against economic barriers and for the equality of treatment in trade, both of which were introduced by the United States, and will be noted in the next chapter. Likewise sponsored by the United States was a resolution calling for ratification of the inter-American treaties and conventions by all signatories, and accession or adherence by non-signatories of the New World. There were numerous resolutions, recommendations, homages, tributes, commendations, recognitions, and acknowledgments, for which we must be content to refer the reader to the printed texts.<sup>33</sup> Like the product of every recent international conference of American states, these would fill a small book. It is to the more transcendental instruments that we have devoted our attention here. These were the real contribution to good will among men and peace upon earth, of the memorable meeting at Buenos Aires on the eve of Christmas, 1936.

The Republic of the North was now committed to the Doctrine of Nonintervention in its most absolute form. It is true that joint intervention, in Mr. Roosevelt's sense of joint concern, might still be possible, because the parties to the Additional Protocol had declared inadmissible only intervention by *any one* of them. It was possible that there might still be difference of opinion as to what constituted intervention, or as to what was meant by indirect intervention, as distin-

\* A Treaty on the Prevention of Controversies provided for a series of bilateral mixed commissions between the various pairs of American republics to devise ways and means of eliminating the causes of future difficulties and controversies.

An Inter-American Treaty on Good Offices and Mediation drew up rules for mediation between disputants by some eminent citizen of a third American republic.

A Convention on the Pan American Highway, calling for collaboration, in study, planning, surveys, and transit regulations.

A Convention on the Interchange of Publications.

A Convention Concerning Artistic Exhibitions.

A Convention Concerning the Peaceful Orientation of Public Instruction.

A Convention Concerning Facilities for Educational Films.

See *Report of the Delegation of the United States of America to the Inter-American Conference for the Maintenance of Peace, Buenos Aires, Argentina, December 1-23, 1936*. Department of State Publication No. 1088, Washington, 1937.

The United States has ratified all but the last two of these conventions. Failure to ratify these is due to lack of control of the Federal Government over public instruction and educational films.

guished from direct intervention; there might be question whether there was such a thing as "diplomatic intervention"; but any such disputation was left to eventual settlement by conciliation, arbitration, or judicial settlement. Following this last and most sweeping self-denial, the United States speedily finished with the final liquidation of its past interventions and continuing treaty rights of intervention in Panama, Haiti, and the Dominican Republic.

## 4

On the morrow of Buenos Aires (December 24, 1936) Panama ratified the treaty signed with the United States on March 2, 1936, abolishing the protectorate over that country, appeasing the Panamanians by the strict control of commissary business in the Canal Zone, and limiting the purposes of the United States to "effectual maintenance, operation, sanitation, and protection of the Canal and its auxiliary works." There was more hesitation in the United States Senate about approving this instrument than any of the other Good Neighbor treaties, because of the vital relationship of the Canal to the protection of the Continental Republic and with it the liberty of the whole republican New World. Only when exchanges of notes had made it perfectly clear that Article X, which called for consultation between the two governments in case of a threat of aggression, would permit the United States to act first and consult afterward,<sup>34</sup> did the Senate finally advise and consent to ratification (July 25, 1939).

As to the old treaty with Haiti, it expired, without renewal, on May 3, 1936, and thus ended the right of the United States to intervene in that republic to enforce the customs receivership that had been left in operation upon withdrawal of the marines in 1934. By the terms of the executive agreement of 1933, providing for the evacuation of Haiti, any controversy that might arise in the future over the continuing receivership and the service of the bonds, and which could not be settled by diplomacy, was to be referred to arbitration conformably to the treaty of arbitration of 1909 between the two nations.

The treaty of 1924 (ratified 1925) with the Dominican Republic, which created a protectorate with Platt Amendment features was due to expire October 24, 1945. It was abrogated by a new treaty signed at Washington, September 24, 1940, ratified March 10, 1941, ending the protectorate, and providing for the arbitration if necessary of any dispute arising over service of the bonds, in accordance with the Inter-American Arbitration Convention of 1929.



Thus disappeared, in good faith with the Protocol of Buenos Aires and on the eve of the Second World War, the last vestiges of any right of intervention by the United States alone and on its own responsibility in the internal or external affairs of any American state.

One of the bitterest of all Yankeeophobia critics of United States imperialism, was the Argentine writer, Manuel Ugarte, author of the notorious polemic, *The Destiny of a Continent*.<sup>35</sup> He despised the United States and its people as materialistic and imperialistic, devoid of all ideals. He never understood them. He drank in the European propaganda against them and licked his lips over it. When Woodrow Wilson was elected President in 1912, he wrote him this challenging letter:

"We desire that Cuba be freed from the painful weight of the Platt Amendment; we desire that there should be granted to Nicaragua the ability to dispose of their soil, *leaving to the people to depose those who govern them with the aid of a foreign army, if they deem it necessary*; we desire that the status of Porto Rico be settled in accordance with the rights of humanity; we desire that the abominable injustice committed against Colombia be repaired so far as possible; we desire that Panama which today suffers the consequences of a temporary displacement be ceded the dignity of a nation; we desire that the pressure being exerted in the port of Guayaquil shall cease; we desire that the archipelago of the Galápagos be respected; we desire that liberty be conceded to the heroic Filipinos; we desire that Mexico shall not always see suspended above her flag Damocles's sword of intervention; we desire that the disorders of Putumayo shall not serve as a pretext for diplomatic dexterities; we desire that the companies which go beyond their authority shall not be supported in their unjust demands; we desire that the Republic of Santo Domingo be not suffocated by unjust oppression; we desire that the United States abstain from officiously intervening in the domestic politics of our countries and that they discontinue the acquisition of ports and bays on this continent; we desire that measures of sanitation shall not serve to diminish the sovereignty of the nations of the Pacific; we ask, in short, that the star spangled banner cease to be a symbol of oppression in the New World."<sup>36</sup>

Noting one by one the particulars of Mr. Ugarte's list of grievances, real and fancied, against the protective imperialism of the United States in the new order of sea power that characterized the decades before the First World War, we see that they have all disappeared. More than that, the United States has accepted the absolute Doctrine of Non-intervention together with the conventionalizing of the Monroe Doctrine.<sup>37</sup> Here is a proud and idealistic climax of policy and faith which must now stand the political strains of altitude and latitude, the final tests of time and tropics.

## CHAPTER XVII

### *The New Reciprocity* (1933-1942)

BY the New Reciprocity we mean the program of Secretary Cordell Hull for the removal of unequal trade barriers the world over, not only against the commerce of the United States, but against the trade of all nations. It would abolish the whole armory of ingenious weapons to which the nations have laid hand for the discriminatory control of imports and exports and the unequal regulation of international commerce, symptoms of the New Mercantilism that made its appearance after the First World War: import quotas, bilateral tariff bargains, clearing arrangements, exchange controls, sanitary restrictions, compensation agreements, and other devices. The New Reciprocity is not particularly a regional policy of the United States, but its application to Latin America is of major interest in any historical interpretation and contemporary analysis of the Latin American policy of the United States.

The collapse in American exports caused by the Great Depression and the restrictive import systems of competing industrial and even competing agricultural nations, and by autarchical devices for self-sufficiency of nations stocking up for war, caused the Democratic Administration of President Franklin D. Roosevelt to embark, like the Republicans in the days of McKinleyism, upon a program of reciprocal trade agreements for the lowering of tariffs, under the impulse of Secretary of State Cordell Hull, the last of the log-cabin statesmen.

Cordell Hull was a newly elected low-tariff Senator from the border South. A conservative Democrat with a long career in the House of Representatives, he had been a trusted political manager in the party in the days before the New Deal. As a member of the lower house he had led the movement for enactment of a federal income tax in

Woodrow Wilson's time. On every possible occasion since then he had attacked, with vehemence, Republican high tariffs. He had come to sense, most apprehensively, the tendency of the New Mercantilism, although he did not call it by that academic name. "The world today, under American leadership over the last ten years," he said in 1931, "is in a virtual state of economic war. There can be no real progress towards confidence or peace nor permanent trade recovery while retaliations and bitter controversies arise."<sup>1</sup> He had worked to secure the plank in the Democratic platform of 1932 which pledged the party to a somewhat ambiguous measure of tariff revision in advance of nomination of a candidate for the presidency: "We favor a competitive tariff with a fact-finding tariff commission free from executive interference, reciprocal tariff agreements with other nations, and an international economic conference designed to restore international trade and facilitate exchange."

Apparently there was no particular understanding between President-elect Roosevelt and Cordell Hull as to what would be the controlling principles of American foreign policy in the new administration. We recall that the President's only reference to foreign policy in his inaugural address was the happy and unexceptionable phrase about being a Good Neighbor in the world. It looks as though one of the reasons why Roosevelt shrewdly selected the Tennessean as a conservative make-weight in his Cabinet was to keep the Democratic South solidly in the party while he turned to his New York familiars and advisers for an unprecedented program of national recovery and political supremacy.

If this was the President's motive, he was supremely successful. On his part, Cordell Hull appears to have welcomed the appointment as a possible opportunity to bring about a measured reform in economic international relations, particularly in undermining a hateful high tariff, by diplomacy, at a time when the party did not dare lower it directly by legislation. The new Secretary of State could scarcely have foreseen the fearful problems that lay ahead of him when he took over the Department of State on March 4, 1933. He could not have perceived the coming revolution in power and in politics, and in the identity of states, that was to overwhelm the world and make his duties as a diplomatist the most arduous and difficult that any Secretary of State has ever had to face. Nor did he see that international trade restrictions were a symptom rather than a cause of strife among nations. Peace could be won for the world, he seemed to believe, by the removal of economic

barriers, and he hoped to lead the United States to do its part as an exemplar.

In the realm of foreign affairs the first year of the new Administration was taken up with what proved to be the fiasco of the World Economic Conference at London, with the failure of the Geneva Disarmament Conference, and more successfully with the definition and orientation of the Good Neighbor Policy in regard to Latin America, particularly in relation to Cuba, and in the Seventh International Conference of American States at Montevideo, to which subjects we have already devoted so much attention in this history of the Latin American policy of the United States.

It was to the World Economic Conference, already called during the Hoover Administration, for the purpose of adjusting inter-governmental debts, internationally stabilizing currencies, and removing trade barriers and nationalist controls, that Secretary Hull first directed his principal attention in the early weeks of the New Deal. Before the Conference convened he proposed a tariff truce in which each signatory agreed for the period of the meeting not to raise its tariffs. Practically all of the nations to be represented agreed to this. Mr. Hull led the United States delegation to London personally where he made an eloquent appeal for the amelioration of international commerce.

"Economic nationalism as practiced since the war," declared the Secretary of State to the assembled delegations, "has expressed itself by every known method of obstructing international capital and trade, such as high tariffs, quotas, embargos, exchange restrictions and depreciated currencies. The reaction upon production, employment, prices and distribution within every nation has been disastrous." He introduced a proposal for an agreement among the nations to reduce tariff barriers gradually over a period of time, to make the unconditional form of the most-favored-nation doctrine the universal basis of commercial policy, and to extend the life of the tariff truce to a reasonable period beyond the final adjournment of the Conference. He offered this proposal as a basis upon which a world program might be developed. The European powers were more interested in writing down, or off, inter-governmental debts, which really meant leaving the United States holding the bag; this accomplished, the relieved debtors would stabilize their currencies, presumably by an international stabilization fund to which a major contribution would be expected from the United States. The New Deal, on the other hand, was striving to raise the price level in the United States by devaluing the dollar if necessary. Any rigid stabili-

zation agreement would prevent the Government from devaluing the dollar.

Roosevelt reinforced Secretary Hull's objections that temporary international stabilization of currency would be "untimely."<sup>2</sup> When the President realized the domestic implications of currency stabilization—that it might block his program for raising commodity prices within the United States—he torpedoed the Conference by a dramatic telegram<sup>3</sup> saying that the United States could not agree to stabilization; it would only achieve a temporary and probably an artificial stability without dissipating the basic economic errors that underlay so much of the existing world-wide depression.

The Conference "recessed" without accomplishing its major aims. In the final session Mr. Hull introduced a long statement urging that the various governments continue to develop his proposals in the interim before the next session of the Conference. This was like preaching to desert sands. The Conference never met again.<sup>4</sup>

His New Reciprocity balked in the Old World, Secretary of State Hull turned hopefully to the New World, where the United States as late as 1928 had repelled a proposal by Argentina for a declaration, at the Havana Conference, against excessive artificial trade barriers.

At the Sixth International Conference of American States, held in the capital of Cuba, Dr. Honorio Pueyrredón, chief of the Argentine delegation, had introduced the subject of trade barriers as a part of his program of opposition to the United States. The spearhead of the Argentine opposition at Havana, in 1928, had been the Doctrine of Non-intervention, as embodied in the proposed treaty on States, which Charles E. Hughes succeeded in postponing until the next conference at Montevideo. The subject of trade barriers was not in the agenda at Havana, but Dr. Pueyrredón succeeded in raising it in an indirect way, as a sort of rider to the unexceptionable treaty for the conventionalizing of the Pan American Union. That treaty had contained no preamble, and the delegation from El Salvador proposed one recognizing the sovereign independence and juridical equality of the American republics. Dr. Pueyrredón then proposed to include in the preamble also a declaration against unreasonable trade barriers.

One such barrier that the Argentine representative had particularly in mind was the sanitary prohibition which the United States had maintained against the importation of beef from countries infected with the foot-and-mouth disease. That there is a real danger of importing the dread disease we shall see later in this chapter, but Argentina con-

sidered that the United States quarantine was merely a pretext to keep pampa-grown beef from competing with domestic western beef in the United States.

The quarantine prohibition was an issue which concerned the United States and Argentina, not the whole Pan American group. But in an effort to appease Dr. Pueyrredón without straying outside the scope of the agenda, the committee that had the subject in charge included in the preamble an allusion to the desirability of "promoting efficaciously the increasing conciliation of their economic interests and intellectual activities." Dr. Pueyrredón insisted on adding the words: "Economic cooperation being an essential factor in the realization of these purposes, the signatory states will direct their efforts toward the suppression of unjust obstacles and excessive artificial barriers which may hinder natural interchange or restrict the liberty of commerce between the nations of America, without according privileges or creating exclusions."<sup>5</sup>

The committee refused to accept this amendment. Mr. Hughes, chairman of the United States delegation, declared: "To introduce the Pan American Union into these most delicate of all subjects, relating to the exercise by independent and sovereign states of their will with respect to the articles coming in or leaving their boundaries, would be simply to invite the destruction of the Pan American Union by making it the center of controversies which it could not resolve and to put it in opposition to the Parliaments and Congresses of the various states."<sup>6</sup>

When the Conference refused to accept his amendment, Dr. Pueyrredón declined to sign the convention for Argentina. His colleagues appealed over the head of their chief to their government and received instructions to sign.\* Thereupon Dr. Pueyrredón resigned his place in the delegation, and also his position as Ambassador to the United States.

How times changed between 1928 and 1933! At Montevideo in 1933 Secretary of State Hull wanted the states to consider this "most delicate of all subjects" and had no fear at all of its "inviting the destruction of the Pan American Union." It was some of the other states in 1933, including Argentina, who held back from full commitment.

The agenda for the Montevideo Conference had been drafted by the committee on program of the Governing Board of the Pan American

\* The Convention has never gone into effect because it requires unanimity of ratification. Up to January 1, 1943, the following states had not ratified: Argentina, Bolivia, Colombia, El Salvador, Honduras, Paraguay, Peru. Meanwhile the Pan American Union continues to function without a treaty basis.

Union, for the most part, before the inauguration of the Roosevelt Administration. We have seen how the expiring Hoover Administration had accepted, in the meetings of the Governing Board, items on codification of international law and the Argentine plan for an anti-war pact as parts of the Montevideo program. Before the Governing Board had finally approved the complete program in its meeting of May 31, 1933, the Cuban Ambassador to Washington, as a member of the Board, had inserted additional items<sup>7</sup> on import quotas, import prohibitions, and collective commercial treaties (Chapter V, Nos. 10, 11, 12). These represented Secretary Hull's principal concerns in foreign affairs. May one be permitted to wonder whether he had something to do with the inspiration of these Cuban proposals, which were accepted at the last moment by the Governing Board?

The instructions to the American delegation to the Montevideo Conference have not yet been made available to historians. As Secretary of State, Mr. Hull was in a position to write his own instructions—to the extent that he believed the President would accept them as a matter of policy. We are not yet privileged to know what the instructions said on these items of the agenda, so dear to Mr. Hull's outlook on international affairs. We do know that after the delegates had received the instructions, prepared for them at the Department of State, a statement from the White House limited their action on these points: "Unsettled conditions, such as European commercial-quota restrictions, have made it seem desirable for the United States to forego immediate discussions of such matters as currency stabilization, uniform import prohibitions, permanent customs duties, and the like."<sup>8</sup>

This statement may have been a dampener to Secretary Hull's enthusiasm for the removal of trade barriers, his principal desire for the Conference. It estopped him from any conclusive negotiations on that subject. Nevertheless, in the Latin American capitals en route to Montevideo and returning he took occasion to inveigh against such barriers and to emphasize the necessity for their removal if the world was to have peace.<sup>9</sup>

At Montevideo, as in London, the United States delegation had to explain that internal conditions at home prevented it from discussing any project for currency stabilization among the American republics until the domestic price level had been brought back to a satisfactory place.<sup>10</sup> But Secretary Hull at least was able to lay down a plan of future attack against the New Mercantilism, the tentacles of which were already reaching out from Europe to wind themselves about certain

countries of the New World. An example was the Anglo-Argentine bilateral commercial treaty of 1933.

This agreement, the so-called Roca Convention (May 1, 1933), made shortly after the Ottawa Agreements of 1932 confirming intra-imperial preferences, had given to Argentina a commercial relationship, in the economic relations of the British Empire, not altogether unlike that of a Dominion.<sup>11</sup> Great Britain agreed to keep future purchases by her subjects of Argentine beef up to a level at least 90% of the last year's imports, and Argentina agreed to let the proceeds of these sales lie in England: (1) to serve British loans, (2) to purchase British goods. Such a treaty as this, coupled with the imperial tariff preferences to British Dominions by the Ottawa Agreements, heavily discriminated against United States beef in the English market, and at the same time reserved a major part of Argentine exchange for purchase of British manufactured goods (rather than those of the United States). It resulted in a forced decline of the United States position in the Argentine market.<sup>12</sup> This treaty was a precursor of further bilateral treaties of European powers with Latin American countries, particularly after Nazi Germany began to perfect the New Mercantilism. To Secretary Hull it was, like the Ottawa Agreements, a symbol of international discord.

Some of the Latin American delegations, particularly that of Argentina, shrank from full discussion at Montevideo of these subjects of customs, quotas, and tariffs. Dr. Saavedra Lamas succeeded in separating these items from the consideration of the Committee, which had to deal with Chapter IV of the Agenda, on Economic and Financial Problems, and transferring them to a special committee under his own chairmanship, the Ninth Committee, on Economic Problems. He did this on the ground that they concerned more countries than those represented in an inter-American Conference, touching as they did the trade relationships with non-American countries, a significant and paralyzing distinction. The sessions of this committee were then thrown open to the public. Into the deliberations of the Ninth Committee Mr. Hull introduced a lengthy resolution as an appeal, without commitment, for future action, an inter-American battle cry for the New Reciprocity against the New Mercantilism. The resolution called upon the American republics to enter upon a program of reciprocal lowering of high tariffs to moderate levels upon the principle of the unconditional most-favored-nation formula by bilateral and multilateral reciprocity "agreements."<sup>13</sup>



Secretary Hull's reciprocity resolution provoked a lot of public debate. It immediately met objections on the part of those countries whose principal exports went to Europe.

A delegate from El Salvador pointed out that his country bought 70% of its imports from the United States, but sold the greater part of its produce to Europe. Alarmed at the prospects of an hemisphere customs union, he elicited applause when he said, "If we enter into an agreement on lowering of tariffs which would undoubtedly give to North American goods free entrance to our markets, we would be considered a sort of Zollverein, a sort of customs understanding which would endanger the sale of our raw material on the European Continent."

Many of the delegates could not see any sense in unconditional most-favored-nation reciprocity treaties or agreements.

"How does the Anglo-Argentine treaty stand?" asked a Uruguayan delegate. "How does the Brazilian-Argentine treaty stand? How does the Argentine-Chilean treaty stand? We would have to start by abolishing all the conventions having established clauses, principles, stipulations and preferences, and which in reality are treaties dispensing with the classic concept of the most-favored-nation clause."

The chairman, Dr. Saavedra Lamas, justly explained what the American delegation had stressed: that Mr. Hull's proposition amounted only to a declaration, without obligation of any kind on the part of any signatory. Nor were all the states hostile to the Hull resolution. The chairman of the Colombian delegation, Mr. Lopez, pointed out that the Secretary's proposal suggested a new and welcome tendency of the United States to modify its tariff policy, in contrast to the attitude of the European powers, evidenced at the World Economic Conference just held in London; the latter were interested rather in increasing tariffs as a "means of increasing imperial trade for Great Britain and colonial trade in France." The audience applauded Mr. Lopez, too, when he said that a lesson of the London Conference was that the Latin American countries, having an economy complementary to the United States, could better travel along with the United States in Mr. Hull's new pathway, particularly now the United States had pledged itself to nonintervention.<sup>14</sup>

Convinced that they were obligating themselves to nothing, and that there might be some good and certainly no harm in saluting the Hull reciprocity ideal, the Ninth Committee, and then the Conference, unanimously adopted the resolution in its original wording.

This declaration of intentions was Hull's first step toward carrying out his new economic policies. It now remained to get a law through the Congress of the United States enabling the President to lower the tariff by means of reciprocal trade agreements with foreign governments according to the unconditional most-favored-nation formula. Then the United States with the moral support of the Latin American republics could take the lead in the crusade for the New Reciprocity against the New Mercantilism.

The new law which the Administration, under Hull's impulse, succeeded in getting Congress to pass (June 12, 1934) enabled the President to make reciprocal trade agreements with foreign nations, for mutual lowering of tariffs on agreed articles within a range of 50% of the United States tariff level, with this striking innovation: tariff concessions allowed reciprocally to one nation in such an agreement were to extend generally to all nations,\* not only those which had unconditional most-favored-nation treaties of commerce or trade agreements with the United States, but also to those which had conditional most-favored-nation treaties, and even to those nations which had no treaties or agreements at all, unless perchance they discriminated against the United States; in the latter case the President *might*, but indeed was not obliged to, withhold extension from them.<sup>15</sup>

As a matter of fact, despite a long list of countries which discriminated against the United States directly or indirectly, the President has withheld the favors extended and generalized by the New Reciprocity only in the case of Germany, because of glaring and abominable discrimination; and once temporarily in the case of Australia. With these exceptions the lower tariff rates successively negotiated under this law by individual governments from the United States have been *gratuitously generalized* in the case of other nations which had no unconditional treaty right to them. On the other hand the partners to the Hull reciprocal trade agreements, which followed the enactment of the Act of 1934, have not always followed the example of the United States and generalized their concessions to nations not entitled by treaty to unconditional most-favored-nation treatment.

Armed with this authority from Congress and heartened by the reciprocity resolution of Montevideo, Secretary Hull set up the necessary administrative machinery, the Division of Trade Agreements in the Department of State, and proceeded with the agreeable labor of negotiating as many reciprocal trade agreements as possible with the

\* Unique preferential tariff treatment was reserved for Cuba, as always.

different nations of the world. Preceding or accompanying each negotiation, an inter-departmental Committee for Reciprocity Information held hearings on tariff rates and schedules and cognate matters, out of fairness to interested business elements. These hearings were scheduled by docket, with dates and time limits, country by country according to the countries which manifested formally a willingness to negotiate. Private interests now had to argue their cases for or against tariff protection, not before a congressional committee and in last analysis Congress itself, but rather before a group of tariff specialists from the Departments of State, Commerce, Agriculture, Treasury, and the Tariff Commission.

Unlike members of Congress, the unknown specialists were not dependent upon any voting constituency to stay in office. The member of Congress depended upon the voters of his district, while the specialist depended upon his scientific service to Secretary Hull and his Cabinet colleagues in the interests of the New Reciprocity. Hence the professional lobbyist of protected interests had less effect on him. Under such an administrative measurement of national interests a more objective consideration was possible. But Mr. Hull, and the Roosevelt Administration on which he depended, had to be careful not to stir up too great a dissent among the voters by too drastic cuts in the tariff, lest members of Congress, alarmed at protests, annul the program by new adverse legislation.

By January 1, 1943, there had been negotiated reciprocal trade agreements with twenty-five countries of the world, and four more negotiations scheduled on the docket of the Department of State. Sixteen of these were with countries of the New World, as were three of the four countries still remaining on the docket.<sup>16</sup>

In the various trade agreements concluded with the Latin American governments the United States has endeavored: first, to secure reciprocally lower tariff rates; second, to abolish other trade restrictions, or at least to do away with discriminatory application against the United States of restrictions, like quotas of imports and control of foreign exchange. The first and most significant of these agreements, aside from the unique agreement with Cuba, was that with Brazil (1935), with which country United States commerce and relations have been traditionally on a most sympathetic footing. The negotiations of the agreement with Argentina signed October 14, 1941, after years of discussion, presented the greatest difficulties and left unsolved the greatest number of problems.

The agricultural products of Argentina and the United States were competitive. Because of the much higher cost of production in the United States, this really meant that articles of Argentine growth, notably fruit, beef, and hides could undersell in the home market these same commodities, unless they were kept out by a protective tariff or by quarantine and sanitary restrictions. The latter kind of exclusion applied to the importation of meat from countries infected with the dread foot-and-mouth disease, as certain sections of Argentina unfortunately are. In accordance with a resolution of the Fourth Pan American Commercial Conference held at Washington in 1931, the United States and Argentina signed in 1935 a convention which would have allowed reciprocally the importation of properly inspected animal or plant products from territories or zones agreed to be free from plant or animal diseases or insect pests.<sup>17</sup> But just as Argentina has failed to ratify eighty-four out of ninety Pan American conventions and treaties, rejecting all the great peace treaties (except the Saavedra Lamas Anti-War Treaty), so the United States, despite the assurances<sup>18</sup> made by President Roosevelt during his historic visit to Buenos Aires in 1936, has never ratified the sanitary convention. Undoubtedly this is due to the opposition of western cattle interests but it is also due to a genuine fear of introducing again a calamitous disease into North American herds. Eight times since 1870 this dire infection has got into the country, to be stamped out only by the most ruthless slaughter of all diseased and exposed herds and the burning of carcasses. The last time, in 1924 alone, 58,791 cattle had to be destroyed in California, and in Texas 153 infected herds and 848 exposed herds.<sup>19</sup> The foot-and-mouth disease exists in England, the greatest consumer of Argentine dressed beef. Its reappearance in the United States would be a major and unwarrantable disaster. The unratified convention gave either party a right to exclude products coming from a zone *proven* to be infected; but there was a chance that the first proof might be the outbreak of an epidemic in the importing state.

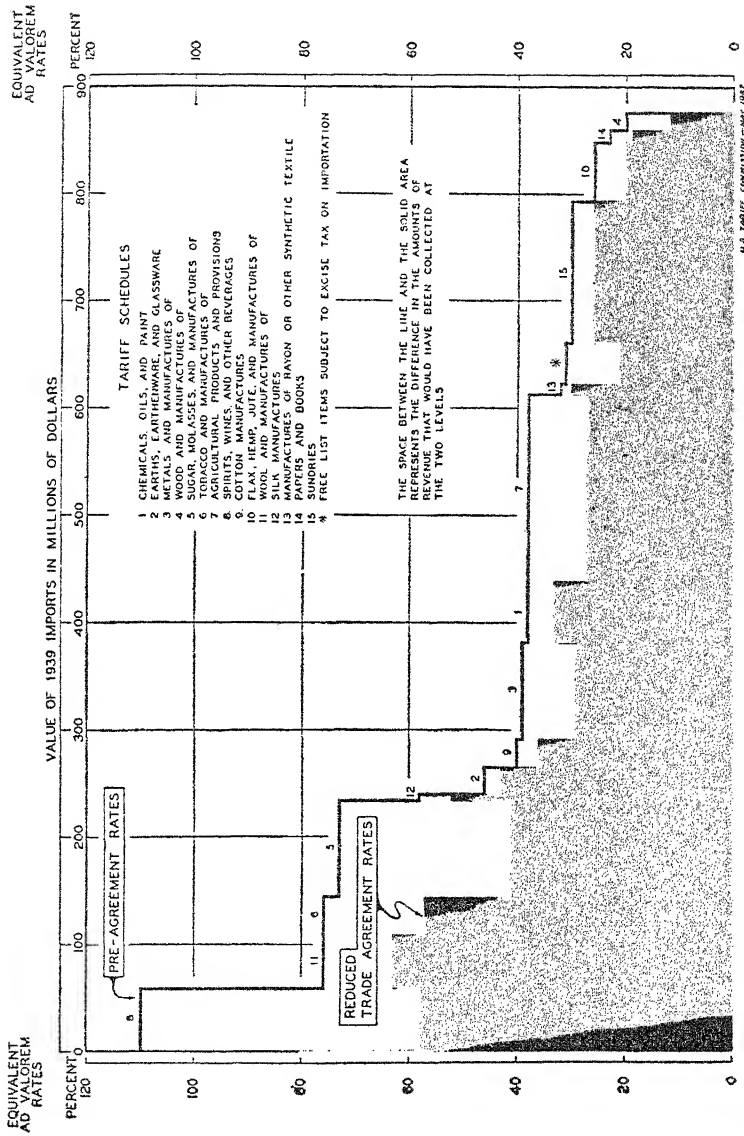
It is sad to have to bow to quarantines, if not to protective tariffs, when one envisions the appetizing steaks of Argentina, the best and cheapest to be found anywhere, those delectable edibles that melt in the historian's mouth and expand his *Weltanschauung* with such delightful feelings of contentment and well-being, making him a free trader, veritable and agreeable. In longing for these esculent *lomos* of the pampa-bred cattle, the lean scholar could easily forget the Anglo-Argentine "Roca Convention" ("Buy from them who buy from us")

by which the southernmost of the good neighbors withholds, in favor of British creditors and sales, foreign exchange that otherwise might be available for the purchase of North American agricultural machinery, automobiles, and refrigerators, also the cheapest and best on earth. But one must discipline oneself into remembering that the Roca Convention works a heavy discrimination against the manufactures of the United States. Unpleasant recriminations flew back and forth between Washington and Buenos Aires about refrigerators and about beef to put in them. This commercial hostility made more difficult political relations. For a long time a reciprocal trade agreement seemed impossible.

The reciprocal trade agreement finally concluded October 14, 1941, did not settle these major problems. In fact it was a most one-sided arrangement, full of emasculating exceptions, and seemed to have been signed more for the sake of appearance than for any substantial victory of the New Reciprocity. By signing up Argentina to the New Reciprocity at the cost of heavy concessions and exceptions, the United States was able to color in a most important country on the Latin American trade agreement map, in fact, the principal recalcitrant; and this accession in turn could be expected to bring the remaining countries into the Hull program. The United States-Argentina agreement reduced United States tariffs on 69% of its imports (including canned beef) from Argentina and guaranteed not to increase or levy duties on most of the remainder; Argentina reduced its tariffs on only 18.2% of imports from the United States<sup>20</sup> (including automobiles and refrigerators), and promised not to raise existing tariffs on 12%. Some of these reductions, however, could take place only when the Argentine tariff revenue should rise above 270,000,000 paper pesos a year. The Argentine Government continued to maintain its quotas, and exchange controls, but agreed not to exercise them in a discriminatory way against the United States, *except* in favor of Great Britain and the "sterling area," and of states contiguous to Argentina, and of Peru.<sup>21</sup>

Of the nations of the New World only the Dominican Republic, Panama, and Paraguay have not yet signaled a willingness to negotiate reciprocal trade agreements with the United States. Secretary Hull's reciprocity resolution of Montevideo thus already has borne fruit in most of the Latin American republics, or is cultivating it expectantly in the others. It would not seem that the three small countries which still stand aloof would present very great difficulties for the future.

By January 1, 1943, reciprocal trade agreements had covered countries

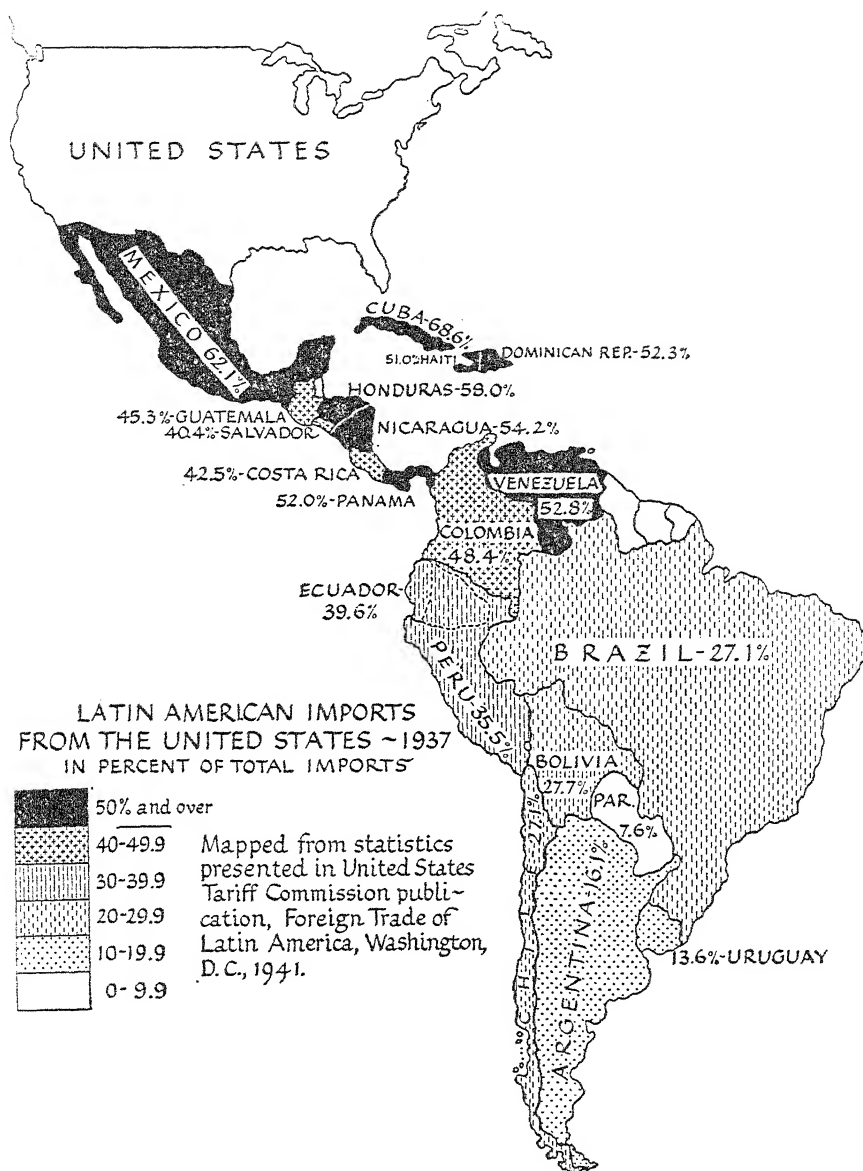


MAP 11. VALUE OF DUTIABLE IMPORTS IN 1939 AT TRADE AGREEMENT AND PRE-AGREEMENT  
 LEVELS BY TARIFF SCHEDULES

comprising approximately two-thirds of the foreign trade of the United States. The agreements reduced the tariff rates on 60% of the dutiable goods entering the United States, and lowered the general tariff level on dutiable articles by 29%.<sup>22</sup> Exports from the United States to the trade-agreement countries increased faster than to the non-agreement countries, though imports lagged behind. This pictures the global effects of the Hull program.

In the region of Latin America the New Reciprocity would appear to have the same effect, although it is somewhat misleading to compare trade with each of these two groups in Latin America over a fixed period of years, say 1935-1938,<sup>23</sup> if only because the several countries in the agreement category for those years did not all enter that relationship in the same year. Further, trade had been greatly disturbed during the years 1935-1938 by unusual fluctuations in the purchasing power and economy of various individual countries, as well as by war and rumors of war. Nevertheless, some qualified conclusions are possible. Trade has increased markedly with each one of the agreement countries of Latin America except in the case of imports from Brazil and Cuba, two of the most important commercial countries in the group; but its dollar value has not come back to the level of 1929, despite the devaluation of the dollar to .596.<sup>24</sup> But it is also true that during this same period, characterized by gradual recovery in international trade, the total of exports from the non-agreement countries to the United States increased even more rapidly, although their total of imports from the United States fell off slightly. Would trade have increased more rapidly with these non-agreement countries, we wonder, if they had been parties to reciprocal trade agreements with the United States? Perhaps; but we cannot say for sure. It seems further true that trade with the agreement countries of Latin America has increased more rapidly than the rate of increase in the total world trade of the United States; but this is not necessarily because of the reciprocal trade agreements; some of the non-American countries are agreement countries too.

One result of the Hull agreements seems fairly certain with the Latin American countries, proven both by their official trade statistics and by those of the United States. This is that to the agreement countries of that region the United States has supplied a larger share of their total imports and taken a smaller share of their total exports. On the other hand, the non-agreement countries to the south have bought a smaller share of their imports during the same period from the United States and sold to the Republic of the North proportionately



MAP 12. EXPORTS FROM THE UNITED STATES TO LATIN AMERICA, 1937



more of their total exports. Of course, it is the share reciprocally of a country's trade that is the most significant measure of the effect of the New Reciprocity.

Another way of summing up the apparent results of the reciprocal trade agreement program in the years before the Second World War is that the balance of trade of the United States with Latin American nations has been more "favorable" \* with the agreement countries than with the non-agreement countries. It is impossible to determine with security whether this was due to this feature of the New Reciprocity or to the generosity of dollar diplomacy in reverse, discussed in a later chapter. Before Cordell Hull's program could be given a conclusive trial it collided too heavily with the nationalistic forces of the New Mercantilism, and with war, the master of mercantilism.

The idealism of the New Reciprocity is like disarmament by example. At first it did not seem to stem the tide against the New Mercantilism. The nations that resorted to war as an instrument of national policy in 1939 were the very powers that, planning to resort to war as an instrument of national policy, refused the New Reciprocity. But Hull's policy has become a bulwark to the "common and solidary attitude" of the republics of the New World. More than that, during the Second World War it established itself as a major principle of the peace of victory. In both of the international conferences of American states since Montevideo (Buenos Aires, 1936<sup>25</sup>; Lima, 1938<sup>26</sup>), and in the three successive meetings of the Foreign Ministers of the American states (Panama, 1939<sup>27</sup>; Havana, 1940<sup>28</sup>; Rio de Janeiro, 1942<sup>29</sup>) held since the outbreak of the Second World War, Secretary Hull has written the New Reciprocity conspicuously into the various declarations of the twenty-one republics as a design for world peace, seeking to preserve and advance it at least as a common American ideal whilst the rest of the world was being conquered by the champions of the New Mercantilism. He offered it to Japan in November, 1941, as one of the fundamental principles on which a stable diplomatic settlement could be based.<sup>30</sup> Since the coming of hostilities to the New World the United States has insisted, in the various agreements entered into for the united prosecution of the war against the Axis Powers, on subscription to the New Reciprocity as the ruling principle of economic amelioration to be written into the peace of victory.

\* The reader does not need to be reminded of the economic fallacies hidden in a "favorable" or "unfavorable" balance of trade, particularly when dealing with one region.

The Atlantic Charter of the principles of peace, of August 12, 1941, stated, Article 5:

*"They will endeavor with due respect for their existing obligations"*<sup>31</sup> to further the enjoyment by all States, great and small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity."

The Declaration of United Nations of January 1, 1942, stipulated the Atlantic Charter as a common program of purposes and principles. In the ensuing Mutual Aid Agreement between the United States and Great Britain, of February 23, 1942, the furtherance of Secretary Hull's New Reciprocity among all other countries of like mind was made one of the specific conditions by which Great Britain received lend-lease aid to help win the Second World War:

*"Article VII*

"In the final determination of the benefits to be provided to the United States of America by the Government of the United Kingdom in return for aid furnished under the [Lend-Lease] Act of Congress of March 11, 1941, the terms and conditions thereof shall be such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations. To that end, they shall include provision for agreed action by the United States of America and the United Kingdom, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce, and to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 12, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom.

"At an early convenient date, conversations shall be begun between the two Governments with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives by their own agreed action and of seeking the agreed action of the other like-minded Governments."<sup>32</sup>

These conditions became the model for "master agreements" concluded with other nations, including Latin American nations, following the British-American Agreement.<sup>33</sup> The agreements since concluded under the lend-lease program have made use of that instrument more than to win the war. They have made it a contrivance also to formulate and advance principles of peace by the reconstruction and revitalization

of world economy. So sincere has been the policy of the United States in this respect that it has taken exception <sup>34</sup> to Latin American proposals for Pan American (not to mention smaller regionalizations) reciprocal preferences not to be extended to non-American nations.

International economic amelioration for this unhappy planet now depends upon the final outcome of the war. If the Axis Powers win, there will be no reciprocity of any kind. Victory for the United Nations will mean the overthrow of the New Mercantilism and the triumph of Hull's long struggle against economic discriminations among the nations.

FOREIGN TRADE OF LATIN AMERICA—1937 <sup>35</sup>

(In Per Cent of Total Trade)

	<i>Imports</i>		<i>Exports</i>	
	<i>From U. S.</i>	<i>From Europe</i>	<i>To U. S.</i>	<i>To Europe</i>
Cuba.....	68.6	18.2	80.7	17.2
Mexico.....	62.1	32.1	56.2	33.9
Honduras.....	58.0	16.2	88.8	8.9
Nicaragua.....	54.2	30.8	55.4	35.2
Venezuela.....	52.8	41.5	13.7*	10.9*
Dominican Republic.....	52.3	23.8	32.2	51.3
Panama.....	52.0	19.9	90.9	4.0
Haiti.....	51.0	35.3	27.9	68.3
Colombia.....	48.4	46.4	64.1	23.2
Guatemala.....	45.3	49.2	64.2	33.4
Costa Rica.....	42.5	40.4	45.1	49.4
Salvador.....	40.4	53.0	60.7	37.1
Ecuador.....	39.6	48.8	33.2	47.0
Peru.....	35.5	43.1	22.2	52.1
Bolivia.....	27.7	32.9	7.3	89.8
Chile.....	27.1	46.6	22.5	49.1
Brazil.....	23.1	53.5	36.4	49.4
Argentina.....	16.1	59.1	12.8	74.3
Uruguay.....	13.6	47.7	14.1	59.6
Paraguay.....	7.6	32.5	7.8	46.5

\* Venezuela: excluding indirect trade via Dutch West Indies; including exports to U. S. approximately 25%; to Europe approximately 57%.

## CHAPTER XVIII

### *The Exchange of Culture and Humanity*

#### I

EXCHANGE of knowledge and culture internationally does not necessarily bring political solidarity or even peace. If it did we would have political solidarity and peace in Europe, where so much exchange of this kind has taken place, and peace between the Old World and the New. Where interests are sufficiently vital and common, *and endangered*, there will be political solidarity, notwithstanding cultural divergences. Under these circumstances a sympathetic cultural contact and exchange can further fortify common interests. Where interests are opposed, a loyal exchange of culture and humanity at least can assist understanding and soften enmity. Thus such exchanges would seem to be all to the good, whether interests are opposed or united.

There are painful exceptions to the above conclusion, because in contemporary times, at least, cultural exchanges have been exploited in bad faith as instruments of conquest. Governments of aggressive nations have studied the character and culture of other peoples not as a means of liberating and dignifying and ennobling a common humanity by mutual understanding, but rather for some economic or political purpose: to build up a profitable market, to catalog wealth to be acquired, to secure strategical positions for conquest, to lay bare weaknesses of character to be used against a nation for its undoing. In our times, Nazi Germany with diabolical skill has made of cultural contact an ingratiating device for espionage or turned it into a trick for seducing the élite as a preliminary step in softening political resistance of a state marked for destruction. Then, after conquest, the first thing the invading *Gestapo* does is to liquidate the élite and stamp out native culture, always a reservoir of moral strength for patriotic resurgence. This practice is only an apparent exception to the soundness of the conclu-

sion that the exchange of culture can do no harm and may do much good, for, of course, in such instance it is not a bona fide exchange of culture and humanity; Nazi soldiers were merely disguising themselves in professors' caps and gowns to hide their machine guns.

I leave it to the reader to judge whether the interest of the United States in inter-American cultural exchange, which has risen in our present days to such a pitch of enthusiasm, presents a chapter of bad faith or good faith, just as I am leaving to the reader of this book the privilege of making a similar absolute judgment before the bar of history on the character of the Latin American policy of the United States in general.

Not until 1936 did the Government include within its Latin American policy any effort to foment and promote the exchange of culture and humanity with the other republics of the New World to the south. There were promising movements within the Pan American Union for such official ministrations, and the United States cooperated with them in a dutiful way. But initiative for real activity was left to the privately endowed foundations for the advancement of science and learning and the promotion of peace, institutions of international scope and purview which formed such a distinctive feature of North American culture in the twentieth century. Even these foundations did not devote their resources very much to the work of cultural exchange with Latin America until after the First World War. Before turning to recent manifestation of government policy it is appropriate to glance back to the cultural relationships of the people of the United States with Latin America as they developed without governmental support or interest through more than a century of independence.

Culturally the Latin American countries did not seem to have much to offer to the United States. Serious students went from North America to the German universities to cap their professional training. Large-minded people went to Europe to broaden their cultural appreciation amidst the treasures of the Old World. Light-minded tourists went abroad because it was the fashion and came home often to ape European, particularly English, customs. Sons and grandsons of immigrants went to look at the "old country" from which their parents had come to a world of better opportunity.

On none of these grounds did Latin America offer any appeal during the nineteenth century, after the earlier interests of the Era of Emancipation had subsided. One regrets to say that there developed a general indifference toward Latin American culture, if not actual contempt for

it. The breakdown of self-government among peoples imperfectly schooled for it, the revolutions, the long interludes of tyrannical dictatorships, convinced the people of the United States that they had nothing to learn politically from their southern neighbors of the Western Hemisphere. The "black legend" of unmitigated cruelty of the Spanish conquerors came down from a more brutal age, of which the Spanish people were by no means the sole examples, to darken unjustly the character of the peoples, the majority of whom were not related at all to the *conquistadores*. The major part of the population of Latin America is not descended from the Spanish conquerors any more than the major portion of the people of the United States is descended from Puritan or even English progenitors. Ignorance and prejudice, together with difficulties of transportation, combined with complacency<sup>1</sup> to insulate Latin America from any cultural influence on the United States. The region and its peoples remained to the northern republic a profitable place to trade with, an interesting field for explorers and geographers, a continent of opportunity for pioneer engineers, a romantic land for footloose soldiers of fortune, a vast and challenging field for Protestant missionary competition.

Except for the power of its republican example and constitutional model, the United States made no major cultural contribution to Latin America during the nineteenth century. Such cultural impact as developed came mostly from the persisting voyages of traders, from the academic studies of an occasional historian like Prescott, from the educational endeavors of missionaries, from the travels of scientists and explorers, or from the dilettante studies of diplomatic representatives. North American literary models could not have much effect on Latin American writing in the Spanish and Portuguese languages, although Longfellow's simple rhythm lent itself readily to rendition into Spanish, and translations of his long poems are still read in the southern continent. Emerson, Poe, and Whitman have also been considerably read, but later generations associated them with an older uncorrupted Monrovia age of United States history. In the fine arts the United States had little to offer to the then distant neighbors to the south.

It was rather in the field of public education that the culture of the United States made the most significant contribution to Latin America in the nineteenth century. Sarmiento, the eminent Argentine pedagogue and statesman, friend and disciple of Horace Mann, tried to model the elementary educational systems of Chile (where he had lived in exile) and of Argentina (where he became President) after the public school

systems of New England. He even imported Massachusetts women schoolteachers to help organize normal schools.<sup>2</sup> Protestant missionaries (Methodist, Presbyterian), never popular in Catholic countries, ingratiated themselves by the comparative excellence of their elementary schools and *colegios* or "academies" of high-school level, schools which built up scholastic standards so persistently as to attract not only underprivileged boys and girls but also those of middle-class families which were unable to send their children to France for an education. Graduates of such schools began to go to the United States to attend affiliated denominational colleges. Like their affiliates in the United States, these missionary schools tended to cast off their sectarianism as time passed. Catholic students, particularly young women, later appeared to matriculate in the more cloistered Catholic colleges. Sometimes these students from the southern countries continued their work in the new graduate schools that were developing in the North American universities. Usually they entered scientific fields rather than the humanities or the arts, politics, or law. The excellence of technical instruction, particularly in medicine, dentistry, and engineering, began by its own force to attract, at the end of the century, students from Latin American countries.

Rarely did a Latin American student who had successfully gone through a college education in the United States and habituated himself to North American ways of life return to his own country other than a sympathetic friend and admirer of the Republic of the North and its people, a convinced disciple of its educational system and political outlook. But the number of Latin American students who came to the United States before the First World War was small indeed compared with those who went to Europe, and their influence on Latin American culture was almost negligible. "The mission of American democracy [in the nineteenth century] to save the world from the oppression of autocrats," says Ralph H. Gabriel,<sup>3</sup> "was a secular version of the destiny of Christianity to save the world from the governance of Satan."

A characteristic motive of the "American mission," resting on its Protestant religious background, has been the urge to "save" people. First it was to save them from the pictured hell of the early Calvinists, next it was to lift them up from ignorance and superstition. In the early nineteenth century it manifested itself in the sending of missionaries supported by the small contributions of hundreds of humble farmer folk and gentle townspeople, particularly of devout women. After the turn of the century, after the industrial revolution and the rise of the great cities, it asserted itself in the international work of the humani-

tarian and educational foundations and finally in the new dollar diplomacy for the general advance of civilization which we shall notice more particularly in the following chapter.

"The promotion of the well-being of mankind throughout the world" was the purpose of the Rockefeller Foundation, established in 1913. The activities of its subsidiary International Health Board immediately began to make themselves felt in Latin America as elsewhere about the globe, particularly in tropical countries. This philanthropical foundation which recognized no division of nationality, race, or social distinction was, together with the Carnegie Foundation and its subsidiaries, one of the supreme contributions to mankind of American philanthropy, which helped to prepare the way for the religion of humanity in the United States. John D. Rockefeller's hundreds of millions, like those of his rival humanitarian, Andrew Carnegie,<sup>4</sup> poured into good works everywhere. In Latin America and the European possessions of the Caribbean the International Health Board spared no expense in its programs for the relief and control of hookworm, the eradication of yellow fever, the fight against malaria, smallpox, respiratory diseases, internal parasites, yaws and syphilis, and other deadly microscopic enemies of the human race. It contributed to and cooperated with state and local health services, public health education, nursing schools, and sanitary engineering in all of the Latin American republics. Between July 1, 1913, and December 11, 1940, it spent \$11,393,604.50 for the betterment of human health in Latin America.<sup>5</sup>

This monumental benefaction literally did a world of good. It saved millions of lives. It brought back health, energy, and happiness to millions more. It was an unique manifestation of the culture of the "Colossus of the North" which no one attempted to gainsay. No other nation or people of the world offered a similar private philanthropy. There was something more than materialism in a nation that could beget such philanthropists as these for the benefit of all mankind. Not unjustly, nor too lavishly, did the Fifth International Conference of American States express a vote of appreciation to the Rockefeller Foundation, if not to Mr. Rockefeller himself, "for the eminent, generous and humanitarian service it has been contributing to international health and to medical education, by which many of the countries of America have distinctly benefited."

It was not from the handful of friendly students returning home from North America, nor from the international benefactions of the great humanitarian foundations, that thoughtful people in Latin Amer-



ica, particularly South America, derived their most confirmed impressions of the United States at the beginning of the twentieth century.

Latin American literature like Latin American education had been naturally linked to Latin Europe. Higher education rested principally on French concepts and foundations. Latin American students who traveled abroad to study art, law, history, or politics, naturally went to France or Spain. In the university foyers and salons of Latin Europe these students, and older expatriates, learned little if anything friendly to the United States; on the contrary they took in the legend of crass materialism dominating the finer things of the spirit in the United States—another black legend. In Paris and Madrid if not in Rome they learned that the Latin spirit was the preserving essence of civilization against the materialism and vulgarization of North America.

It was an Uruguayan writer, José Enrique Rodó, who presented this theme most powerfully to the élite of Latin America in a work of matchless grace, *Ariel*, first published in Montevideo. At that time Rodó had never lived in Europe, but his thought and art rested on classical European models, including the French and Spanish nineteenth-century essayists, particularly Renan and Anatole France. *Ariel* offered intellectual support for anti-Yankee polemics nurtured in Europe on the theme of Caribbean interventions. These works had a season of great popularity and influence in Latin America. Of such writers<sup>6</sup> the most plausible and popular was Manuel Ugarte. He had made a brief visit to Mexico and to the United States in 1901-1902, where he had sampled only the superficial scene of the large cities. Most of his life after that he lived in France. There he wrote articles against the United States for French, Spanish, and Italian journals. In 1912-1913, during Taft's administration of the government and foreign policy of the United States, Ugarte lectured against North American imperialism in the various capitals of the New World and even on one occasion in the United States at Columbia University. In a previous chapter we have quoted his letter to President-elect Woodrow Wilson indicting the imperialism of the United States. At the very time when the Good Neighbor Policy was first taking shape during the Republican Restoration, Ugarte, then living on the French Riviera, wrote his most famous tract, *El destino de un continente*,<sup>7</sup> published in Madrid in 1923. In it he told his fellow Latins across the seas in the New World that it was their destiny to be swallowed up by North American imperialism and materialism if they did not organize themselves, under European Latin tutelage, against the menace.<sup>8</sup>

Rodó's serene analysis and Ugarte's flaming indictment furnished serviceable ideological background for the purposes of Argentine diplomacy in the period after the First World War: to challenge the Pan American movement by rallying the Latin American states about Argentina under the banner of Nonintervention, making Buenos Aires the political as well as the intellectual and cultural entrepôt between Latin peoples of the New World and the Old.

## 2

Until very recent years promotion of inter-American cultural exchange developed spontaneously out of Pan Americanism, and out of the work of humanitarian and educational foundations established by John D. Rockefeller and Andrew Carnegie, not out of any policy of government.

The Pan American movement fostered in an authoritative and official way, under the joint direction of all the twenty-one republics, the exchange of culture and humanity among them. Such indeed was its most useful purpose before 1928, as already has been suggested. In this direction the Pan American Union \* soon came to have its most far-reaching influence. Without a doubt the Union has been the greatest single factor for international education in the Western Hemisphere. Its effect has been more potent in the United States, the seat of the Pan American Union, than in any other republic.

The initial symbol of Pan American cultural activities was the creation, by a resolution of the First International Conference of American States, at Washington, in 1890, of a Latin American Memorial Library for collections of historical, geographical and literary works, maps, manuscripts, and official documents relating to the history and civilization of America, to be dedicated on the day on which the United States celebrated the fourth centennial of the discovery of America. The result was the Columbus Library, housed, through the munificence of Andrew Carnegie, "benefactor of humanity,"<sup>9</sup> in the building of the Pan American Union.

The cultural work of the Pan American Union beggars description within the space available here. From a mere commercial bureau established in 1890 the Union has developed into "a great international secretariat with activities extending into practically every field of inter-

\* So called since 1910. Before then it was the Bureau of American Republics.

national endeavor," under the joint guidance and direction of the governments of all the twenty-one republics, working, we are informed, with a staff of experts constantly in various fields, gathering and collecting data, disseminating information, answering inquiries, undertaking special studies, and caring for the preliminary details of inter-American conferences, congresses, exchanges, publications, and activities of all kinds.<sup>10</sup> The Union has had the good fortune to have been administered by a series of able and sympathetic directors, the most eminent and esteemed of whom, the present Director General, Dr. Leo S. Rowe, has held that office since 1920, accumulating universal respect from the member nations of The Union of American Republics.\*

It was through the multiplication of technical and special non-political congresses and conferences of scientists, educators, physicians, journalists, artists, and other professional groups that inter-American cultural development proceeded most rapidly under the aegis of the Pan American Union. Between 1890 and 1940, 159 special Pan American congresses or conferences<sup>11</sup> took place, most of them since the First World War. These reunions resulted in the creation by 1940 of 73 permanent inter-American organizations<sup>12</sup> to carry forward the interests of the internationally cooperating specialists.

The great majority of these meetings and the continuing organizations were for the exchange of culture and humanity. During the last half-century, especially during the last twenty-five years, scholars, teachers, physicians, scientists, journalists, bankers, engineers, artists, and representatives of the professions have traveled from all over the New World. Meeting in turn in the various cities of the different republics such gatherings have brought together the élite of all lands in order to build up the Republic of Letters in the Western Hemisphere. Their permanent organizations keep that Republic a living and growing manifestation of inter-American culture.

Efforts to promote the exchange of scholars for long and effective sojourns were less successful than the inter-American technical conferences and their resulting continuing organizations. The Fourth International Conference of American States (Buenos Aires, 1910) went so far as to "recommend to the Governments of America in regard to their

\* Such is the official name of the organization of American republics since 1910, when it replaced the cognomen Pan American Union. Since 1910 the Pan American Union means the secretariat (formerly called the Commercial Bureau of the American Republics and the International Bureau of the American Republics), as distinct from the international organization of which it is an organ.

public universities and to the universities recognized by those governments," the exchange of professors "talented chiefly in scientific matters of interest to America." This resolution did not result in anything effective, even in the restricted field of science, because, in the first place, the Government of the United States had no control over universities, and the Latin American universities and governments lacked the necessary funds to go far with such exchanges among themselves. But in the history of Pan American conferences the resolution or recommendation of today often becomes the treaty of tomorrow. It proved to be so in this instance, when eventually an inter-American diplomatic conference met again, at the capital of Argentina, in 1936.

We have had occasion to note in previous chapters the very considerable influence which the Carnegie Endowment for International Peace, acting through its Division of International Law, exerted on the Latin American policy of the United States, particularly in supporting, materially, morally, and intellectually, a movement for the codification of American International Law and for treaties for conciliation and arbitration, until they finally became a reality in government policy and action. Similarly the Endowment, proceeding through its Division of Intercourse and Education, initiated, supported, and fostered the exchange of professors and students, during the quarter century of government apathy that intervened between the Resolution at Buenos Aires of 1910 on the Interchange of Professors and Students, and the Convention of Buenos Aires of 1936 for the Promotion of Inter-American Cultural Relations.

The first Carnegie Visiting Professor to Latin American Universities was sent during the First World War in 1917, Professor Charles M. Strong, of the University of Washington, who lectured at the University of Chile. At the same time the Endowment brought to the University of Washington Professor Benjamín Oyarzín of the University of Chile. Between 1927 and 1941 the Endowment dispatched eight professors and scholars from leading universities of the United States to lecture in Latin American universities on the specialities of their disciplines, and invited to the United States six distinguished Latin American educators and men of letters. It also arranged and subsidized inter-American visits of distinguished citizens and cultural leaders between the United States and various Latin American countries. One of the most helpful actions of the Endowment was to provide traveling expenses for impecunious scholars and scientists to make possible representative attendances at various Pan American congresses of teachers,

students, and professionals. It also provided a number of fellowships, beginning 1917,<sup>13</sup> for study by Latin American students in the United States. It helped to establish international relations clubs<sup>14</sup> on the North American model in educational institutions in Latin America, and provided them with collections of books, including the Spanish editions of its series *Biblioteca Interamericana*, devoted to the culture and politics of the United States. The Endowment subsidized a number of special publications for distribution in the United States and Latin America, including the annual numbers of the *Handbook of Latin American Studies* already mentioned.<sup>15</sup> A typically Carnegian feature of the Endowment's inter-American cultural program was the gift of collections of standard works on the history, literature, and politics of the United States, and on other subjects. In some cases, as in Chile, these collections were made available to readers by adequate library arrangement; in other instances they reposed in dark rooms or closets and accumulated dust and cobwebs.

Thus it was a private foundation, untinctured with politics, and with no foreign policy of its own except the dissemination of peace and good will among men, which served as the principal instrument of the United States for the promotion of cultural exchange with the Latin American republics, as indeed with all the other nations of the world. The inter-American interests of the Carnegie Endowment were only a part of its widespread work all over the world; <sup>16</sup> indeed, compared to the Endowment's activities in Europe, they were a more recent and minor part of its world-wide operations.

The Government of the United States took only a passive interest, before 1936, in this phase of international relations. Often Carnegie visiting professors, particularly in Latin America, had a hard row to hoe and cultivate; the Endowment, eschewing any connection or support that would have even the appearance of political purpose or propaganda, did not seek for its exchanges any special recognition, or introductions, or assistance from the Department of State. Visiting professors who went out had to depend on the good will and welcome that they might merit, or receive, in the connections which they themselves established without official assistance. They might be introduced to a Latin American audience by the Rector of the University, or by the janitor! The State Department shrank from imparting to the Good Neighbor Policy the imputation of cultural propaganda, even for the innocent purpose of actively assisting cultural exchange by private educational endowments.<sup>17</sup> An occasional ambassador of the United States, how-

ever, would go out of his way without instructions to ease the way for these unofficial emissaries of good will.

The first contribution by the Government of the United States, as distinct from the humanitarian endowments and foundations, was its proposal at Buenos Aires in December, 1936, of a Convention for the Promotion of Inter-American Cultural Relations, setting up a system of government-supported exchanges of university professors and students. This proposal seems to have been inspired originally more by a desire to breed a climate of peace in the Western Hemisphere<sup>18</sup> than by a direct motive to counteract the anti-republican propaganda which the fascist powers were stirring up in the New World.

As originally presented, the proposed convention called not only for the exchange of students and professors bilaterally among all the contracting parties, but also contained a provision by which the governments would promote and support the exchange of inter-American cultural relations between privately organized groups that form public opinion, such as labor unions, youth societies, women's clubs, peace societies and social-service organizations. Remember that this was in 1936, when the United States was still completely under the influence of the disillusionment which had been so influential in producing the neutrality legislation of 1935, when the principal objective of the Government at the Buenos Aires Conference was establishing and insulating the peace of the New World from the wars of the Old World by pan-Americanizing the popular new neutrality laws. Remember, too, that this was the time when groups of this character were pink and pacifistic, opposed to huge military and naval appropriations and national preparedness for war. This last mentioned proposal, never adopted, was of a most radical nature and full of wide-reaching social implications, of even revolutionary import when measured in some of the other republics.

This convention was the sole contribution of the United States to that chapter of the agenda for the Buenos Aires Conference which called for consideration of "Measures to promote intellectual and cultural relations between the American Republics, and the development of the spirit of moral disarmament." Numerous other proposals were made by other governments.<sup>19</sup> Peru introduced a project very similar to that of the United States, insofar as it concerned the exchange of professors and students. Chile had a series of proposals for "moral disarmament," involving such features as castigation of warmongers and agitators for treaty violation, measures against subversive propaganda,

women's action to consolidate peace, and the use of radio and films to win peace. Argentina presented proposals for artistic exchanges and exhibitions, conferences of ministers of public instruction,\* and a proposal for creating in each state a committee on intellectual cooperation<sup>20</sup>—again manifesting a policy (in contrast to that of Chile) to steer intellectual cooperation of Latin America toward Europe rather than toward Pan America.

The delegations of the United States had always made the point in inter-American diplomatic conferences, that their Government could not commit itself to treaties involving control over educational matters, the press, radio, the cinema, and cultural matters in general, no matter how sympathetic it might be to such arrangements, because the federal government lacked statutory or even constitutional authority to control those matters. These were subject to the jurisdiction of the several states insofar as they were subject to any control. For this reason it had been unwilling to sign the Convention on the Teaching of History at the Seventh International Conference of American States at Montevideo in 1933.<sup>21</sup> The delegation advanced similar reasons for not signing at Buenos Aires in 1936 two conventions, of Chilean initiative, for "moral disarmament": a Convention Concerning Peaceful Orientation of Public Instruction, and a Convention Concerning Facilities for Educational and Publicity Films. But the Department of State had so drafted its proposed Convention Concerning the Promotion of Inter-American Relations, that it could be carried out by a government which had no authority over universities within the states of a federal union, or over other cultural groups, for that matter.<sup>22</sup>

As signed at Buenos Aires, with some modifications of the original United States draft, the Convention Concerning the Promotion of Inter-American Cultural Relations provided for an annual award by each contracting government of two fellowships to graduate students and teachers from each of the other republics parties to the convention, and for the appointment by each government of visiting professors to be sent in alternate years to teach, one to each contracting state. In the case of the fellowships, travel expenses are provided by the recipient government, and resident expenses by the awarding government. In the case of the visiting professors, the sending government bears all expenses, including salary.<sup>23</sup> The article for promoting exchange of cultural relations between other groups "which form public opinion" (labor unions, peace societies, youth societies, women's clubs, etc.) was

\* The United States has no such federal office.

detached from the treaty and passed as a resolution (No. LII) of recommendation to the several governments.

Another convention provided for all possible facilities by the signatory governments for the exchange of artistic exhibitions. The various other proposals for the promotion of intellectual and cultural relations between the American republics, and the development of a spirit of moral disarmament, mostly took the final shape of resolutions and recommendations, thirty-one of them, all more or less important. They covered such matters as: education and public instruction, libraries and bibliographies, artistic and cultural cooperation, intellectual property, the press, radio broadcasting, boy scouts and girl scouts, and various phases of moral disarmament.\* By signing these statements of principle the United States, and the other governments, without binding themselves, endorsed principles upon which they could act as soon as public opinion advanced adequately to their support. Because of the lavish propaganda activity in the New World of the totalitarian powers of the Old World, and the rapid deterioration of the European situation after Hitler's military occupation of the Rhineland in March, 1936, public opinion, particularly in the United States, advanced much more rapidly after Buenos Aires than most observers would have imagined when President Roosevelt had first proposed that conference in January, 1936.

### 3

As they prepared for war in Europe and Asia, the totalitarian powers, Germany, Italy, and Japan, organized their propaganda abroad to break down the institutions of republicanism and "pluto-democracy," to paralyze the solidarity of the American republics, in short, a long-range program to divide and conquer. They put their resources and those of their organized nationals residing in Latin American countries powerfully behind their anti-republican and anti-United States propaganda. They had long since played up to movements for Pan Hispanism and Pan Iberianism as opposed to Pan Americanism. During and after the Spanish "Civil" War of 1936-1939 and the overthrow of the Spanish Republican Government by Germany and Italy, the victorious fascist powers tried to use Spain as a totalitarian lancehead for the destruction of inter-

\*For example, Resolution XIII recommended that the governments seek to avoid the exhibition of theatrical productions and films which favor aggressive armaments, disturb good relations between peoples, or invite hatred against foreigners. Resolution XVI recommended that moral disarmament be considered at future conferences.



American cultural relations and democratic ideology and the preparation of "fifth-column" allies in the New World.

Germany and Italy offered numerous and generous fellowships to Latin American students and professors to come and study in their countries, and subsidized their own professors for placement on the faculties of Latin American universities. They offered free telegraphic news services to Latin American newspapers which would publish their material appropriately tintured with fascist propaganda. They beamed carefully organized short-wave radio programs in Spanish and Portuguese across the South Atlantic. They sent out their free films to cinema owners. Germany, Italy, and Japan organized the advertising of their nationals to color the editorial policy of Latin American newspapers. In every conceivable way they patronized Latin American cultural organizations as Germany did so successfully when preparing the downfall of France.

Propaganda efforts of the totalitarian powers to undo the Good Neighbor Policy in Latin America had been slow to stimulate the United States Government to assume an active leadership in inter-American cultural exchange. Some of the most eminent students of the Latin American relations of the United States as late as 1939 felt that the fascist danger in Latin America was greatly exaggerated. The Department of State waited for the various other signatories to ratify the Convention for the Promotion of Cultural Relations, so that exchanges of students and professors might be built up. Meanwhile a departmental order of July 27, 1938, set up a Division of Cultural Relations to take general charge of international activities of the Department in this field, and to serve as a clearing house and coordinating center for the activities of private agencies in the field of cultural relations. "What we seek," explained the first chief of the new division, "is to establish the conditions of a friendly cooperation and peaceful existence in the Western Hemisphere."<sup>24</sup>

During these years the world was teetering dizzily on the edge of the abyss. At the Eighth Inter-American Conference of States at Lima, in December, 1938, three months after Munich, the republics were far more conscious of impending crisis in Europe than they had been at Buenos Aires in 1936. In another chapter we shall see how they reaffirmed their political solidarity by the Declaration of Continental Solidarity and the Declaration of American Principles. They were increasingly aware also of the value of cultural understanding to fortify political solidarity.<sup>25</sup> They adopted a score of resolutions for the promo-

tion of inter-American culture, even one proposing a Culture Day; but it was also necessary to pass one urging the represented governments to ratify the Buenos Aires Convention for the Promotion of Inter-American Cultural Relations!

Considering the usual slowness with which Pan American treaties are ratified, this Convention progressed reasonably well. By Jan. 1, 1943, only six \* countries, including, of course, Argentina, had not ratified it. But even after ratification, the multifarious process of securing the necessary appropriations, of drawing up lists and panels, and setting up the first exchanges under the treaty, was one that required much time and pothor. Not until September, 1940, did the first visiting professor <sup>26</sup> set forth from the United States to a Latin American country; and none of the Latin American states which have ratified the Buenos Aires treaty has yet † sent a professor to the United States under the terms of the treaty. First student exchanges did not begin until 1940, between the United States and Chile.<sup>27</sup> By this time the Second World War had broken out.

Belatedly it became obvious that if the Division of Cultural Relations were to do effective work for the solidarity of the New World in these fast and trying times it could not wait for full ratification of the Buenos Aires Convention of 1936 and for the slow-moving machinery of academic exchanges to get into complete motion. It was also apparent that in a world struggle against the totalitarian forces of intervention and imperialism the United States could not stand muted by and allow the enemies of republican liberty to accuse the Good Neighbor of constant materialism and still latent imperialism. It would have to take measures actively to combat the propaganda efforts of the fascist powers to break up the Pan American movement. Let the other neighbors of the New World be invited into the household of the Neighbor of the North for intimate acquaintance with his family and his way of life, to learn all that was worst and best about the people of the United States. That would be the appropriate way to answer the hostile aspersions of Germany, Italy, and Japan. To this purpose the Government at Washington resolved to give active sponsorship and material assistance to the many manifestations of inter-American cultural endeavors that had elicited the numerous resolutions of the Pan American conferences. The Division of Cultural Relations embarked also on a two-fold educational campaign: to make the whole people of the United States

\* Argentina, Bolivia, Cuba, Ecuador, El Salvador, Uruguay.

† January 1, 1943.

conscious of inter-American good-neighborhood and the values of Latin American culture, and to bring Latin Americans more closely into contact with cultural and humanitarian activities in the United States.

Once begun, this government policy led to a rapidly expanding program. At first it was conceived of as purely cultural, but as the storm of war moved ever closer to the New World it became avowedly a measure of national defense "to build up a solid bulwark of resistance to anti-democratic forces." The new program included: (1) influencing opinion by subsidizing visits of representative cultural spokesmen of the Latin American countries in the hope that first-hand contact with the United States and its cultural institutions would lead to favorable reports at home; (2) encouragement of the work of cultural institutes and of private schools of United States nationals and of libraries in the other republics in helping to create a more understanding friendship for the United States; (3) encouragement of the general public in "the other anti-Axis countries" by means of motion pictures showing the defense preparations and productive capacity of the United States; (4) broadcasting of cultural programs, including talks and interviews by travel grantees, and provision for local broadcasting of programs originating in the United States.<sup>28</sup> That is to say, this program was a reply in the coinage of free American democratic culture to the propaganda efforts of the totalitarian powers. It offered to the liberty-loving peoples of the New World a better opportunity to judge between the tyranny of fascist Europe, or fascist Asia, and the free civilization of the United States with all its weakness and all its strength and virtues. It made them measure the implications of their judgment for their own freedom and the preservation of their own ways of life.

Within the United States itself the Division undertook to stimulate and materially to assist and support the work of many private organizations and institutions interested in the furtherance of inter-American understanding. These private organizations dealt with such special fields of activity as student and professor exchanges, Latin American studies in universities and colleges, institutes and centers of inter-American study; foundations; learned societies; libraries, interchanges of books, publications and periodicals; fine and applied arts; music; theatre; folk drama; films and photography; radio; press; and travel.

The private agencies responded eagerly to official encouragement and support. The great foundations, the Rockefeller,<sup>29</sup> Carnegie, and Guggenheim organizations, finding their international work more and more restricted by war in Europe and Asia, had already turned their energies

and funds abundantly but methodically into Latin America, particularly into fellowships and scholarships, and grants-in-aid for individual and institutional research projects. They now increased their benevolences for this purpose. The universities expanded their curricula in the direction of Latin American studies and augmented the number of their scholarships to Latin American students, and their research grants to students of Latin American affairs in the United States. Intellectuals in the United States became not only "Latin America conscious," to use a current rhetoric; Latin American friendship became even a popular fad, almost a craze, like the revolutionary affinity of France for the United States at the end of the eighteenth century.

Popular fancy expressed itself in songs and movies, and in fashion designs for clothes, particularly in greater usage of Indian colors and forms, Indian seeming to mean anything vivid or angular, and a borrowing of Indian designs in metal work and textiles. Metropolitan department stores apparently found it profitable to advertise hats from "good South American neighbors," in the big city newspapers, also men's shirts and slacks in *mio* [*sic*] *amigo* colors: Peruvian blue, Argentine wheat-color, Chilean honey-color, Brazilian honey-color, Inca red and gold, Cuzco pink, llama white, and others. A national cosmetic dealer, affecting an old Puritan name for the firm, advertised ladies' make-up to match the good-neighbor colors! Even home decoration caught the fad.<sup>30</sup>

In the multitudinous official ramifications of government so many agencies appeared dealing with Latin American affairs<sup>31</sup> that it became difficult to keep track of them all and to keep them from interfering with each other. The President established as an organ of national defense, in the Office for Emergency Management, a Coordinator of Inter-American Affairs, to keep the work of the numerous agencies in order.<sup>32</sup> This director and dispenser of good things from the United States Government soon became known all over the Western Hemisphere as the Nelson Rockefeller Committee, after the Coordinator himself, son and grandson of the John D. Rockefellers. This use of the magic Maecenan name, universally respected outside of the United States, to designate an executive office of the Government, was a happy accouplement of phraseology which the White House did nothing to discourage.

As war approached, other significant government agencies dealing with Latin American affairs cropped up big and thick like mushrooms. The Coordinator of Inter-American Affairs and the Division of Cul-

tural Relations maintained a liaison in which the principal function of the Department of State was to place and direct the energies of all the federal agencies, as coordinated by the Coordinator, in their activities abroad in Latin America.

Within the short space of five years the United States Government, spurred on by the propaganda efforts of the Axis Powers in Latin America, had advanced from a century-old position of complete passivity and almost indifference toward inter-American cultural exchange to a determined policy of great and multifarious activity. Some confusion accompanying such a rapid change of policy in a democratic country, particularly under the pressure of war, was inevitable; perhaps it has been unnecessarily great. Certainly the largesses may seem to be out of proportion. But to one who divines the humanitarian nature of the American mission<sup>33</sup> this latest development may be considered as one of the most important phases of the Latin American policy of the United States: a prodigious effort to use the cultural and intellectual resources of the country, backed by its material and moral strength, to convince the Latin American peoples of the sincerity of the Good Neighbor Policy. Conceivably the energy of this effort may subside in safer times to a lower voltage and more even flow, but it cannot be regarded as an ephemeral phenomenon. Like the general Latin American policy of the United States, the new policy of cultural rapprochement looks to the security of the New World against the forces of intervention and tyranny. In the security of the New World it seeks the safety of the Continental Republic, and that has always been the real touchstone of the Latin American policy of the United States, historically interpreted.

## CHAPTER XIX

### *Dollar Diplomacy in Reverse* (1929-1941)

PERHAPS it has been an unpopular effort of this study to dispel the widespread conception of "dollar diplomacy" as a wickedly aggressive instrument of power-politics in the selfish hands of Wall Street "interests" for the economic exploitation of Latin America. We have seen in a former chapter that the interventions in the Caribbean and Central America were part of a "large" strategy of continental security designed amidst a new order of sea power to secure control of the vital naval communications of the United States between its two populous seacoasts. Wall Street had very little if anything to do with it except by invitation of the Government. The bankers' loans enabled the protectorates and some of the other states radically to cut down and refund their defaulted European foreign debts transferring them to United States bankers at a fair rate of interest. The United States interventions lightened the ancient burden of debt, restored political and financial stability to those regions, and removed the danger of European intervention. When that danger disappeared after Versailles political imperialism was liquidated, the protectorates received back their complete independence, and finally the United States unreservedly accepted for the future the Latin American Doctrine of Nonintervention.

Another myth is that of the "economic imperialism" of the United States. What is economic imperialism? It is the use of national power to advance and protect the investment of capital, brains, and energy in a foreign country for the purpose of making money there by exploiting the natural or human resources of the land and taking the profits out of the country to spend and enjoy. It is using national power to mine, harvest, or syphon off the wealth of one country for the profit of another country or of certain of its nationals. The mere profitable invest-

ment of capital in a foreign country is not an act of economic imperialism, else Canada, Sweden, Denmark, Belgium, and Czechoslovakia could be regarded as economic imperia. The essential badge of economic imperialism is the use of power to sustain it against the will of a foreign people.

The billions of dollars invested by citizens of the United States in Latin America either in portfolio investments or in direct investments,<sup>1</sup> the treatment of that property by the Latin American governments, the attitude and conduct of the United States in the face of such treatment, together with the effect of that attitude on the policy of non-American powers, are the best test of that "economic imperialism" of which the United States has been accused after the passing of the old dollar diplomacy of Taft and Wilson and the liquidation of the protective imperialism of the pre-Versailles decades.

Following the First World War, and largely as a result of it, the United States became for two decades, and for only two decades,<sup>2</sup> a creditor nation; with comparatively little experience in dealing with defaulted foreign bonds. Of the loans made to Caribbean countries, Central America, and Mexico, only the Mexican issues were in default before the Great Depression. We have seen that the United States Government refused to make those defaults a subject of diplomatic intervention. Mexico seemed a special case, due to the long revolution, and continued outbreaks, and the creditors were expecting service to begin again on the bonds.

The Allied governments and the United States Government had borrowed from the people of the United States huge sums, funded in the shape of long-term government dollar bonds, mostly United States liberty bonds (which provided the cash for the mammoth treasury loans to "associates" and even former enemies after April 6, 1917). Most of this money was spent quickly in the United States for war materials and relief supplies. The goods moved out of the country forever, and the money flowed back into the banks. Avid in booming times for safe investment at higher rates of interest than afforded by bank deposits or by United States Government bonds, these funds sought other employment. They offered a tremendous temptation to bankers with international connections, "international bankers," to float this credit abroad in loans to foreign governments, including political subdivisions, in the title of gold dollar bonds.

The words government bond, and dollar bond, particularly the verbal combination of government gold dollar bond, had a traditional

value for investors who were used to the bonds of the United States Government and those of the Allied governments (except Russia). The profits to be garnered from new issues of foreign dollar bonds were obesely lucrative. Once the bonds were in the safe-deposit boxes of trustful individual investors, the banking houses of issue could lose nothing by their depreciation or default, unless they held too much of these securities themselves; this they were generally careful not to do.<sup>3</sup> The result was an orgy of lending by the international bankers and of reckless borrowing by foreign governments.

Purchasers of the foreign government gold dollar bonds included rich man, poor man, doctor, lawyer, merchant, thief, and also universities, hospitals, churches, foundations and charitable institutions, not to forget the traditional widows, orphans, teachers,<sup>4</sup> and clergymen.<sup>5</sup> The bankers and their affiliated investment trusts in some instances violated the fiduciary responsibility which they owed to their clients when they advertised these loans as good investments. In some cases they did so in the face of evidence which showed the poor credit resources of the borrowing governments, particularly in the case of Latin American governments.<sup>6</sup> On one notorious occasion they paid to the son of President Leguía of Peru a commission of \$415,000 to facilitate the commitment of that government to a loan, charging it up unblushingly to expenses as "illegal enrichment."

In the decade 1921-1931, over \$9,800,000,000 foreign dollar bond issues were floated in the United States, most of them government bonds.<sup>7</sup> Of these \$1,935,612,000,<sup>8</sup> that is about two-ninths, were the bonds of Latin American governments, exclusive of the old Mexican bonds that were refunded on paper in 1932 at \$267,000,000.

Although some of the bankers bore a heavy moral responsibility in persuading their clients to buy questionable securities as sound investments, the debtor governments were even more to blame. They borrowed the money, in good faith or bad faith, wisely or unwisely, and they spent it, honestly or dishonestly, for their own countries. When the crash came in the Great Depression, they were too prone to make the bankers scapegoats for their own imprudence or irresponsibility, particularly when they found how unpopular the bankers had become in the United States for selling the bonds.

It is not sufficient excuse for default or repudiation to say that the borrower was overpersuaded by the lender. Have you ever been able to advance it successfully yourself? But in cases where people were harnessed up by irresponsible, arbitrary or even corrupt governments



to debts greater than their capacity to pay, could whole nations of people be held responsible to their governments' folly, even after they had overthrown them by revolutions? Not as long as they were independent sovereign states. International law does not hold a debtor state responsible for mere default of foreign-owned bonds; only repudiation or willful breach of contract, or discrimination against one creditor compared with another, is regarded as violation of the law of nations.<sup>9</sup> Even then, intervention or the use of force to collect contract debts (which includes bonds, of course) due to the nationals of a state is inadmissible unless a government refuses to arbitrate.

It is at the discretion of the creditor state's government to interpose its good offices diplomatically, formally or informally, on behalf of its nationals with a debtor state. Considerations of national interests transcending the immediate interests of the bondholders may determine the decision whether to do so. That has been the case with the United States. As the reader of this book knows, the United States Government has never resorted to force for the collection of contract debts; on the contrary, it supported at The Hague in 1907 the Drago Doctrine, in principle; and it has not in recent years—so far as published reports reveal—given any formal diplomatic support to its creditor nationals for the collection of foreign bonds: witness the Mexican bonds defaulted for three decades.

In the period which we are discussing the debtor governments knew this very well when they marketed their heavy issues of dollar bonds in the United States. Doubtless this partly explains the readiness with which they borrowed. The ordinary purchaser of the bonds in the United States was not aware, and not made aware, of the virtual impossibility of obtaining redress against defaulting governments.<sup>10</sup> This accounted in part for his readiness to buy a Latin American government's gold dollar bond.

The United States Government did little if anything to protect people within the United States against the purchase of these bonds from bankers. It assumed the competence and responsibility of the bankers. It limited itself to passing on the expediency of the issues for diplomatic reasons, that is, the wisdom of allowing bonds to be issued to governments which were working against the United States politically or economically, for example, by refusing to fund a settlement of public debts to the United States Government, or by discriminating against its nationals in commerce and investments.<sup>11</sup>

In case there were no diplomatic objections to a proposed loan the

Department of State would say to the bankers concerned, as it did in an official statement of March 3, 1922: "In the light of the information before it, the Department of State offers no objection to the flotation of this issue in the American market."<sup>12</sup> It is important to note that the Department did not attempt to pass on the merits of loans as business transactions, nor assume any responsibility for them; this it left to the bankers. But this is not the way it looked to the unsophisticated public who did not read the fine print.

When bankers represented to their clients that the Department of State of the United States offered no objection to a loan, it implied very strongly to purchasers who had not read the statement of March 3, 1922, that they could count on the protection of their interests by their Government. In the words of Senator Hiram Johnson, who almost single-handed<sup>13</sup> conducted an investigation by the Senate Committee on Finance into the private international loans of the 'twenties, the ordinary United States citizen "fondly believed that if the State Department had no objection to his purchase of foreign securities his rights had been safeguarded."<sup>14</sup>

In a work of this scope we can only tabulate the issues of the dollar bonds to Latin American governments, and the status of their defaults as it stood, when all returns of the final debacle, precipitated by the Great Depression, could be recorded by the Pan American Union as of December 31, 1934. The tabulation is on page 336.

In all this distressing spectacle, which brought loss and even ruin to so many people in the United States, as did similar defaults by European governments, two bright exceptions must be noted. One is the proud record of Argentina, the only one of the borrowing governments of Latin America that has kept within its means and stood behind its bond. In a time of well-nigh universal default, with examples all about to tempt, it would have been easy and even plausible for that government to have stopped payments on its loans, pleading lack of exchange or even funds. But the national Government of Argentina preserved its credit record completely solvent.<sup>15</sup> The other exception is still more remarkable: Venezuela, *mirabile dictu*, kept herself out of foreign debt altogether!

The United States Government took no direct action to assist its bondholders to recover their losses on the defaulted Latin American government issues. It does not appear to have drawn any distinction between the defaulting states, even to have examined into the question whether any of the defaults had been so insouciant and persistent as to

PUBLICLY OFFERED DOLLAR BONDS ISSUED OR GUARANTEED BY LATIN AMERICAN GOVERNMENTS  
OR POLITICAL SUBDIVISIONS THEREOF AS OF DECEMBER 31, 1934<sup>1</sup>

Country	National Governments			States, Provinces, Depts.			Municipalities			Government Guaranteed Corporate Issues <sup>2</sup>			Totals	
	Outstanding	In Default as to Interest	In Default as to Principal	Outstanding	In Default as to Interest	In Default as to Principal	Outstanding	In Default as to Interest	In Default as to Principal	Outstanding	In Default as to Interest	In Default as to Principal	In Default as to Interest & Principal	Outstanding
Argentina...	250,004,500	.....	.....	87,424,900	81,725,900	.....	22,060,000	10,329,500	.....	.....	.....	.....	92,055,400	4,222,500
Bolivia.....	59,422,000	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	59,422,000	.....
Brazil.....	144,672,500 <sup>3</sup>	144,672,500	.....	142,558,800	119,296,800	.....	66,944,000	.....	.....	.....	.....	.....	330,913,300	23,262,000
Chile.....	175,404,000	.....	.....	.....	.....	.....	20,459,500	20,459,500	68,745,000	.....	.....	.....	204,608,500	.....
Colombia.....	51,223,500	.....	.....	59,689,500	59,689,500	.....	22,145,900	22,145,900	10,296,500	.....	.....	.....	143,655,400	.....
Costa Rica..	8,781,000 <sup>3</sup>	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8,781,000	.....
Cuba.....	91,878,100	40,000,000	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	91,878,100	51,878,100
Dominican Republic..	16,202,000	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
El Salvador..	12,619,300	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12,619,300	.....
Guatemala..	2,214,000	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2,214,000	.....
Haiti.....	10,511,360	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mexico <sup>6</sup> ...	62,037,500	62,037,500	.....	3,252,000	3,252,000	.....	.....	.....	.....	.....	.....	.....	65,289,500	.....
Panama.....	15,214,000	.....	.....	.....	.....	.....	416,000	.....	3,097,500	.....	.....	.....	14,453,500	416,000
Peru.....	87,210,000	87,210,000	.....	1,189,000	1,189,000	.....	2,887,000	2,887,000	.....	.....	.....	.....	91,286,000	.....
Uruguay....	52,047,500	52,047,500	.....	.....	.....	.....	10,420,000	10,420,000	.....	.....	.....	.....	63,367,500	.....
Total...	\$1,041,331,266	707,887,300	294,414,200	265,453,200	146,232,400	133,185,900	82,139,000	82,139,000	1,564,116,850	1,188,665,400	96,071,100	.....	.....	.....

<sup>1</sup> "Latin-American Dollar Debts," *Commercial Pan America*, No. 37 (Pan-American Union, January, 1935).

<sup>2</sup> Includes only direct guarantees.

<sup>3</sup> Exclusive of bonds issued to fund interest.

<sup>4</sup> The Dominican Republic has made a proposal to bondholders concerning readjustment of the sinking fund which has been approved by the Foreign Bondholders Protective Council, Inc.

<sup>5</sup> Includes defaults in interest and in principal and sinking fund.

<sup>6</sup> Should also include \$243,734,777 defaulted railway bonds guaranteed by the Mexican Government S.F.B.

amount in fact to repudiation, or whether it was moral or tolerable for a debtor government, which had professed not to have dollar exchange with which to pay the interest on its bonds, to buy back its obligations in the open market at defaulted prices! Nor did it seek to raise any possible questions of international law that might justify a request for arbitration. As in the case of Mexican defaults, it left the bondholders to the mercy of the debtor governments, to whom "on appropriate occasions" it sometimes went so far as politely to introduce representatives of the creditors trying to collect something.<sup>16</sup>

Even if diplomatic representations had been resorted to, it is doubtful whether any satisfaction could have been secured unless the United States were willing to have recourse to economic sanctions and retaliatory discriminations.

Both the Republican Restoration and the succeeding New Deal were opposed to economic discriminations and reprisals. Secretary of State Hughes in 1923 had reversed the nation's traditional policy from the conditional to the unconditional most-favored-nation formula for commercial treaties. The Hoover Administration had hoped that the World Economic Conference, called for in the spring of 1933, would do something further to remove international economic barriers. We have noted in a previous chapter how, under the Roosevelt Administration, Secretary of State Hull planned a series of reciprocal trade agreements on the unconditional most-favored-nation basis to rehabilitate international trade and prosperity. It was his earnest conviction that this would do more to restore the credit and confidence of debtor states than anything else. Bilateral trade-and-clearing agreements, like the Anglo-Argentine Roca Convention of 1933, were anathema to him. He relied on a New Reciprocity to save international economy from the spreading vices of the New Mercantilism.

As a result of the Government's opposition to economic reprisals, and its policy of official hands-off the defaulted dollar bonds, the widely scattered individual investors were helpless to undertake negotiations with the debtor states. A large number<sup>17</sup> of rival bondholders' "protective committees" sprang into existence to cater to their needs. Some of these committees were reputable, some on the verge of being disreputable.<sup>18</sup> Few of them were disinterested.

The Department of State lent its official approval to only one of such organizations, the Foreign Bondholders Protective Council, Inc., which came into existence December 18, 1933,<sup>19</sup> after having been inspired by the Department of State under both the Hoover and Roose-

velt Administrations. It was modeled considerably on the Corporation of Foreign Bondholders which had been so successful in adjusting foreign defaulted bonds owed to British subjects since its formation in 1868.

Thus the Government of the United States launched and sponsored the Foreign Bondholders Protective Council, Inc., announced its willingness to advise and counsel it, but disavowed any responsibility for its actions. "Such loan and investment transactions," it gave the world to understand, were primarily private actions, to be handled by the parties directly concerned, and not a subject for diplomacy. The State Department visualized the organization of the Council "not as a step toward dollar diplomacy, but as a step away from it."<sup>20</sup> At about the same time that the Department of State sponsored the Foreign Bondholders Protective Council, it inconspicuously abandoned the policy of passing on the diplomatic expediency of issues of foreign bonds,<sup>21</sup> the implications of which had aroused such widespread disapproval. The Council came into legal existence, as a corporation under the laws of Maryland, December 13, 1933, most opportunely during the Seventh International Conference of American States at Montevideo.

At Montevideo, Mexico sought to make the dollar bonds a subject for inter-American regulation, including as an initial step a resolution declaring a uniform moratorium on all foreign obligations for a period of six to ten years; her delegation suggested meanwhile the formation of an international juridical agency for the purpose of negotiating agreements on debts without the intervention of bankers' committees, and for the more effective guaranty of debtors and bondholders.

The Mexican proposal precipitated some discussion in the Committee on Initiative, because, not having been included in the original agenda for the Conference, it would have to be accepted by a two-thirds majority of the governments in order to secure a place on the program. It would have injected into diplomacy a corrosive subject, hitherto left outside the purview of inter-American politics. For this reason Secretary Hull tactfully suggested its exclusion.

Argentina, on her part, opposed the idea as a sort of continental bankruptcy of all the American countries, an implied collective insolvency induced by the desire to alleviate the penury of some of them. "We cannot admit," said Dr. Saavedra Lamas, with a pardonable pride in his own country's financial integrity, "that proposed remedies applied by some countries shall be generalized to others, whose internal ways we do not know, whose financial condition we are not in a position to un-

derstand, and whose life develops with a complete autonomy that no Panamericanism can destroy."

The Foreign Bondholders Protective Council, newly created in Washington, afforded Secretary Hull an appropriate and not unsympathetic response to the Mexican proposal. He first declared that he had no authority to vote on the new item, were it made a part of the program, because such bonds were essentially a private matter between debtor and creditor. At the same time he went out of his way to repudiate any connection between his Government and the "international bankers." "I take the liberty to say here with all frankness that the international bankers as a rule are not and have not been supporters of the Roosevelt Administration." Then he explained how the United States Government had sponsored the formation of a completely new independent commission, formed by the most honest and disinterested men that could be found in the country to handle the interests of the bondholders without representation of the United States Government. "This Commission has all sympathy for those who need help. In its personnel it is against what have been called special interests."

The Montevideo Conference shelved the subject by recommendation for further study.<sup>22</sup> Had the Mexican proposal been adopted it would have made the debtor-creditor relationship a part of future Pan-American political discussion, hazardous for continental solidarity.

There is some reason to believe that the Administration became disappointed in the evolution of the Foreign Bondholders Protective Council, which Secretary Hull had introduced to the Pan American world as "against special interests," namely the banking houses that originally floated the bonds, and which were "not supporters of the Roosevelt Administration."

The personnel of the Council was beyond reproach from this point of view. It had been nominated by officials of the Department of State. It included such outstanding liberals as former Governor Philip La Follette and former Governor Frank O. Lowden. The administrative officers were men of unexceptionable character and competence. They were formerly important officials in the Department of State under the Republican Restoration. The president of the Council was J. Reuben Clark, Jr., former solicitor of the Department of State,<sup>23</sup> whom we have met so often in this study, who had been so recently a plenipotentiary at the Montevideo Conference. The executive vice-president was Francis White, Jr., a former Assistant Secretary of State, experienced in Latin American affairs, also well known to the reader.

It proved impossible to raise from the small bondholders the funds necessary for the very considerable expenses, including salaries of the officers, of this non-profit organization, without soliciting contributions from the "international bankers," including some of those who had handled the bonds. In vain the Council had tried to tap "one of the foundations," to whom all good men and true nowadays apply for money to support public and other causes. So the Council turned to the banks for contributions—to Wall Street.

The Securities and Exchange Commission in an investigation of the finances of the Council published in 1937, found "that of total 1934 contributions of \$90,238.75, houses of issue had contributed \$54,150, or 60%" of the funds raised to sustain the work of the Council in the year 1934. The Commission gave considerable emphasis, among other criticism that had been registered, to the implied influence of such contributions; to personally friendly relationships existing between directors and officers of the Council, on the one hand, and the directors and officers of houses of issue on the other hand; and to the Council's practice of accepting fees from governments as well as bondholders upon the conclusion of adjustments. Nevertheless, it pointed out that the Council was in existence, had developed its techniques and procedure, had accumulated experience, and had established its prestige and standing at home and abroad. Furthermore, its personnel and methods were recognized and known. Because of these and other advantages, the SEC declared that continuation of the organization seemed to be "warranted," though some changes were suggested as desirable.<sup>24</sup>

The fact was that the Council had become impregably established, with the Administration's original introduction and sponsorship, as the designated private organization for the handling of the defaulted foreign bonds, and that it was impossible to discontinue it without a constitutional amendment.<sup>25</sup> All the Government could do was not to praise or encourage it and let it expire slowly from inanition. One infers that as years went by, the Administration became less and less enthusiastic about its accomplishments. Although the Council did not succeed in reaching adjustments with all the debtor states such as it could recommend to the bondholders registered with it, it nevertheless was the principal medium for the representation of the creditors,<sup>26</sup> and it worked out a number of adjustments. It served to keep the debts out of international politics, which is a good thing. One wonders whether the debtor governments did not sense a waning enthusiasm for the Council on the part of the Administration that amounted in their eyes

STATUS OF INTEREST SERVICE ON LATIN AMERICAN DOLLAR BONDS  
PUBLICLY AND NON-PUBLICLY OFFERED AT DECEMBER 31, 1940

(Based on Treatment of Last Coupon Maturing in 1940)

Country	National			States, Provinces, Depts.			Municipalities			Government Guaranteed			Totals		
	Outstanding	In Default as to Interest	In Default as to Principal	Outstanding	Interest	In Default as to Interest	Outstanding	Interest	In Default as to Interest	Outstanding	Interest	In Default as to Interest	In Default as to Interest	Outstanding	Default as to Sinking Fund Only
Argentina...	146,647,500	None	None	75,707,105	3,963,700 <sup>9</sup>	5,675,500	5,675,500 <sup>10</sup>	.....	.....	.....	.....	.....	.....	.....	4,222,500
Bolivia.....	60,832,927	59,422,000	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,430,927
Brazil.....	166,853,145	166,853,145 <sup>3</sup>	130,648,000	130,648,000 <sup>3</sup>	54,097,000 <sup>3</sup>	.....	54,097,000 <sup>3</sup>	.....	.....	.....	.....	.....	.....	.....	352,498,145
Chile.....	161,967,000	161,967,000 <sup>4</sup>	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Colombia...	45,667,825	43,731,000 <sup>5</sup>	59,988,000	59,988,000	21,612,628	.....	20,896,500	.....	.....	.....	.....	.....	.....	.....	170,208,500
Costa Rica..	8,077,188	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	137,559,953
Cuba.....	101,982,900	1,664,000 <sup>6</sup>	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8,077,188
Dominican Republic..	14,853,000 <sup>1</sup>	None	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,664,000
Ecuador....	459,000	459,000	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
El Salvador..	12,081,525	12,081,525	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Guatemala..	2,710,100	1,344,100	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Haiti.....	7,948,051	None	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mexico.....	265,988,316 <sup>2</sup>	265,988,316	3,252,000	3,252,000	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	7,948,051 <sup>13</sup>
Panama.....	15,785,552	12,353,052 <sup>7</sup>	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	None
Peru.....	81,580,500	81,580,500	1,189,000	1,189,000	2,887,000	.....	371,500	.....	.....	.....	.....	.....	.....	.....	17,604,552
Uruguay....	53,007,824	1,944,000 <sup>8</sup>	.....	.....	.....	.....	765,500 <sup>11</sup>	.....	.....	.....	.....	.....	.....	.....	85,950,500
Total...	\$1,147,363,253	\$17,465,726	270,784,105	199,040,790	88,395,628	87,378,000	64,285,937	64,285,937	1,570,828,983	1,168,170,453	44,182,578	.....	.....	.....	.....

<sup>1</sup> Excludes bonds held alive in s. f.

<sup>2</sup> Includes Railways expropriated in 1937. See page 216 above for funded readjustment of 1942.

<sup>3</sup> Partial cash payments for coupons 1½, 2 or 2½ yrs. in arrears under Plan of Decree 2085 of March 8, 1940.

<sup>4</sup> Payments offered under Plan of Law 5580 for coupons 3 or 3½ yrs. in arrears.

<sup>5</sup> Holders of these bonds offered new 3% bonds in June, 1941. To Dec. 1941 it was reported 50% had accepted.

<sup>6</sup> Represents 5½% Public Works bonds not yet exchanged under 1938 offer.

<sup>7</sup> In 1941 Adjustment Offer became effective as to 75% of \$11,313,500 bonds.

<sup>8</sup> Represents amounts not exchanged under 1937 Readjustment Offer.

<sup>9</sup> Bonds of Buenos Aires, Santa Fe, and Mendoza not exchanged under Readjustment Offers. All but Buenos Aires called in during 1941.

<sup>10</sup> City of Cordoba (2 issues). Payments offered on 1957 issue through attachment of funds, but payments are not for current coupons.

<sup>11</sup> Represents Montevideo bonds not exchanged under 1938 Conversion Offer.

<sup>12</sup> S. F. in arrears one year since 1944.

<sup>13</sup> Default beginning 1938 with small token payments thereafter excepting 1940.

(Tabulation prepared by A. H. Wylie for Foreign Bondholders Protective Council, Inc., January 29, 1942.)



to a repudiation of it, and whether because of such an idea they paid less and less attention to its representations. Without the continuing approval of the Government the Council could not have healthy life and achievement.

The status of the Latin American dollar bonds as of December 31, 1940, as tabulated by the Foreign Bondholders Protective Council, with footnotes indicating adjustments offered by the debtor governments, is on the preceding page.

This is dollar diplomacy in reverse!

## CHAPTER XX

### *The Myth of Economic Imperialism*

WE have just seen that the attitude of the United States toward defaulted dollar bonds of Latin American governments owed to its nationals gives no ground for the charge of economic imperialism. Neither does its policy toward the treatment by those governments of direct investments of United States nationals.

In 1939, these investments, in mines, oil properties, branch factories, public utilities, plantations, banking, and distributing enterprises, amounted to \$2,963,000,000 or 43% of all direct investments of United States nationals abroad. Of this over one-half was incorporated in extractive industries, which depended on exports for their existence and profits, and somewhat less than one-half (\$1,300,000,000) represented non-exporting industries.

These direct investments have been unjustly cited as imparting to some Latin American countries, where they represent a predominating share of certain industries (as in Mexico, Cuba, Venezuela, Colombia, and Caribbean countries), a *colonial* status like that of the British colonies in Malaysia and the Dutch colonies in the East Indies. Such assertions completely ignore the very obvious fact that the latter colonies are under British and Dutch sovereignties, which control the economy of the countries, whilst the Latin American countries are under their own sovereignty to which their economy is subjected. The test of economic imperialism is whether the United States has used its power to prevent the independent and sovereign states from regulating these properties in the interest of the sovereign's economy as the sovereign understands it.

During the existence of the interventions, which temporarily impaired the sovereignty of the Caribbean republics, there were some rare instances of such interference: for example, the constitution dictated to Haiti in 1915 provided for the right of foreigners to own land, some-

thing to which the people of that country were opposed hitherto; and we have seen that the intervention in Nicaragua resulted in placing for a decade the finances of that country under the exclusive control of private bankers in the United States. These are exceptions; generally speaking the protectorates did not interfere with the local control of economy except to keep the new foreign loans placed within the United States and to prevent them from increasing to an amount beyond the country's reasonable capacity to pay, and to preserve service on the refunded loans. In the case of Cuba, during the existence of the Platt Amendment, the United States insisted until 1934 on its treaty right to maintain a government adequate for the protection of *property* (including foreign-owned property) as well as life and individual liberty—this was undoubtedly one reason for refusing to recognize the Grau government in 1933. But the interventions have all been liquidated, and the United States, subject to a reservation retaining all rights “under the law of nations as generally recognized and accepted,” ratified the Montevideo Treaty on the Rights and Duties of States mutually recognizing the sovereign and juridical equality of all the parties, including the principle that foreigners may not claim rights other or more extensive than those of the nationals of a state.

Subject to international law as generally accepted, this treaty recognized the full sovereign control of the state. Article 8 of the treaty has been implemented since 1936 without any reservation whatsoever, by the inadmissibility of intervention by *any one* state directly or indirectly, and for whatever reason, in the internal or external affairs of any other American state.

After acceptance by the United States of the Treaty on the Rights and Duties of States, and particularly after ratification of the Special Protocol Relative to Nonintervention of 1936, the Latin American republics rapidly increased their measures for the control, exploitation, and in some instances appropriation of foreign capital within their territories. These laws usually applied ostensibly not to foreign capital *qua* foreign, but to industries owned by foreign capital, and particularly industries in which United States capital was conspicuous. Therefore technically they did not *discriminate* against foreign nationals; at least such a charge would be debatable in native courts.

Such legislation included: percentage limitation of the number of foreigners who could be engaged by a foreign employer; imposition of “income taxes” in addition to taxes or royalties stipulated in the original contracts; exchange controls embargoing the exportation of profits or

selling dollar exchange at an artificially low rate so as to yield revenue to the government; creation of government selling monopolies; state processing plants and distributing trusts, to bring down consumer rates and prices by "yardstick" competition, or even to force the foreign-owned companies out of business; labor legislation making it difficult or impossible for foreign corporations to operate; expropriation of foreign property at arbitrary appraisal; blocking of earnings within the country; and a multitude of other regulations ingeniously devised for bridling the foreign properties and enterprises to the welfare of the state as construed by the existing government, *de jure* or *de facto*.

Against the imposition of such controls and exploitation the United States Government has ventured to protest only when they involved discrimination against its nationals, repudiation of constitutional guarantees, confiscation, or denial of justice. Diplomatic expostulations became increasingly ineffective after 1933. The Latin American states were quick to respond to protests with the ridiculous assertion that they constituted "indirect" intervention of some sort, and consequently that they belied the Good Neighbor Policy! After 1936, if a dispute developed on the meaning of intervention "direct or indirect, and for whatever reason," then the only way out was resort to conciliation, arbitration or judicial settlement under the terms of the Special Protocol on Nonintervention, Article 2.

The diplomatic correspondence with the Latin American republics since 1927 has not been published, even in selected documents that appear in the standard series *Foreign Relations of the United States*. Except for the spectacular issues with Mexico, the contemporary historian cannot analyze the extent and the nature of protests against discriminations, confiscations, and denials of justice—some of which have been very shocking to international law, notably by *de facto* dictators in Ecuador<sup>1</sup> and Bolivia.<sup>2</sup>

Mexico has afforded a long trial of the sincerity and patience, indeed of the self-respect, of the Good Neighbor of the North. The satisfactory practical compromises of United States-Mexican issues—land expropriations, damage claims, and *ex post facto* legislation for the nationalization of petroleum properties—which had been reached by the irenic policy of the Republican Restoration, and which is usually associated with the name of Ambassador Dwight W. Morrow, broke down after 1933.

Following ratification by the United States in the summer of 1934 of the Montevideo Treaty of 1933 on the Rights and Duties of States,

the newly elected labor government of President Lázaro Cárdenas came into power contemporaneously with the New Deal in the United States, which developed more and more into a labor government, too. After feeling out the new Administration of the Good Neighbor, Mexico renewed agrarian takings from United States nationals, to complete a program of collective farming and ranching for the hitherto landless masses of the people.

Despite the promises of previous Mexican Governments to compensate land expropriations not a cent had been paid on the old takings. The Cárdenas Government hardly made any pretense of intention to pay. This led to the first of the new issues between the two governments, but not until after the first re-election of President Roosevelt for which the New Deal needed the vote of organized labor, which was conspicuously fraternizing with the labor organizations of Mexico. The questions of property claims (except for the petroleum properties about to be mentioned) were eventually settled, following the second re-election of President Roosevelt, by the convention of November 19, 1941 (ratifications exchanged, April 2, 1942), providing for a lump-sum settlement (payable in annual installments over 17 years) of all outstanding claims, including the agrarian claims.<sup>3</sup>

While the disputes over agrarian takings from United States "farmers" in Mexico—to use the new appellative of State Department protests—were dragging leisurely along, the Mexican Government seems to have interpreted the presidential election of 1936 in the United States, and the Buenos Aires Special Protocol on Nonintervention, as green lights from Washington to proceed against the foreign petroleum corporations. A federal expropriation law of November 13, 1936, was the first step for such a program. It provided for the expropriation of private property of public utility "to satisfy collective necessities in case of war or interior upheaval."

In order to be certain that the Supreme Court of Mexico in last appeal would interpret the law to suit his purpose, President Cárdenas prevailed on the Mexican Congress to pass a law reducing the life-term of the judges to the tenure of the President who appointed them. The judges became creatures of the executive and the executive, if only because of the Buenos Aires Protocol, no longer had any reason to fear intervention by the United States, direct or indirect, and for whatever reason, to protect the property of its nationals against denials of justice in Mexican courts.

The actual program for driving out the foreign petroleum companies

took the shape of most burdensome labor legislation. Tacitly the Cárdenas Government encouraged the labor unions to strike against the foreign-owned companies for heavy increases in pay, shorter hours, double pay for overtime, automobiles and chauffeurs for labor leaders, halls for union meetings, more holidays, vacations and vacation travel for employees and their families numerous construed, and an increasing control over books and management.<sup>4</sup> These demands suddenly drove up operating costs to the breaking point.

The new labor courts sustained the unions on every score, making the increases of pay retroactive to the beginning of the strike, and the Supreme Court of Mexico confirmed the decision of the labor court. The foreign companies then announced their willingness to accept the adjudicated demands on every point except books and management. Because they would not accept the award in full, President Cárdenas swiftly decreed (March 18, 1938) the expropriation of their properties under the law of November 13, 1936. In this campaign the Mexican Government depended on the sympathy of organized labor in the United States.

The *potential* value of the properties thus taken was estimated by the foreign corporations at approximately \$450,000,000 (U. S.) of which \$200,000,000 belonged to United States nationals; the rest was principally British. The Mexican Government contended that the properties were worth at most only \$262,000,000. It advanced various ingenious set-offs and devaluations that brought properties of United States nationals down to less than \$50,000,000—and it had just begun to calculate! The British Government broke off diplomatic relations with Mexico, only desperately to resume them in 1941 in the midst of the Second World War, and at the suggestion of the United States.

The United States Department of Commerce in 1938 had listed American direct investments in Mexico's petroleum industry at \$69,000,000 U. S., this based on statistics furnished by the companies themselves. On their own books at the close of 1937 the companies had stated their assets at about <sup>5</sup> \$60,247,000 U. S.

The Department of State bestirred itself much more slowly to give diplomatic representation to the cause of the expropriated petroleum corporations than it had moved to support the dispossessed "farmers." "Corporation" was politically a most unpopular word in the United States, particularly a Sinclair, or a Standard Oil Corporation; "farm" was a word deserving of all political deference. The Government did not abandon the corporations altogether. Following the second re-elec-

tion of President Roosevelt, the Department of State took up the question through diplomatic channels.

The United States did not deny that Mexico had a right to expropriate property, including foreign property, for purposes of internal reform. It objected to expropriation without prompt and effective compensation; this meant confiscation. Mexico did not profess any intention to confiscate; she argued about the real value of the properties. Thus the question settled down to bargaining on value and ways and means of paying. In such a discussion, carried on while the war clouds thickened across the Atlantic and Pacific, larger diplomatic considerations played their part.

In the determination of the issues between the United States and Mexico, domestic politics had given way to international politics as these negotiations developed in 1941 during the European war. In the great war of the continents that was rolling up across both oceans, the United States was anxious to have the unreserved good will of all Latin America, as well as Mexico.

Considerations of strategy as well as domestic politics now cried imperiously for fraternity with Mexico, a contiguous neighbor. These were satisfied by the United States-Mexican treaty of April 1, 1941 (ratifications speedily exchanged April 25, 1941), giving military airplanes a right of way over Mexico (en route to Panama) with landing and servicing facilities. At the same time the United States Government did not wish by too abject a complacency to set an example for confiscation of petroleum properties in other Latin American republics. Petroleum was the key strategic material of war. Mexican diplomats made the most of these favorable circumstances.

A settlement took place just three weeks before Pearl Harbor. On November 19, 1941, the Department of State announced "with deep satisfaction" the conclusion of a comprehensive agreement with Mexico on various matters, including the expropriated properties. By the convention signed that day (ratifications exchanged April 2, 1942), which we have already mentioned, Mexico agreed to pay over seventeen years \* \$40,000,000 in settlement of all property claims, including agrarian claims, but excluding petroleum properties. By an executive agreement she consented to the appraisal of the value of the petroleum properties by a commission composed of one representative each of the

\* \$3,000,000 already paid on account of agrarian takings, was credited. \$3,000,000 was paid on exchange of ratifications. The remainder was to be paid in annual payments of \$2,500,000 beginning in 1942.

United States and Mexico. She paid over \$9,000,000 on account toward the value of the properties as they should be appraised.

The two governments also announced their decision to conclude a reciprocal trade agreement; and the United States Treasury declared its readiness to cooperate with Mexican fiscal authorities to stabilize the exchange rate of *peso* and dollar, and its "willingness" to purchase newly-mined Mexican silver (in preference to the silver of certain other countries) on a basis similar to that in effect before 1938; about 6,000,000 ounces a month, yielding Mexico \$25,000,000 yearly. The Export-Import Bank (of which more mention presently) opened a credit to the Mexican Government by purchase of \$10,000,000 a year, for three years, of "highway" bonds to hasten final full construction of the Mexican link in the proposed inter-American highway.<sup>6</sup> Lastly, the Export-Import Bank also announced its readiness to consider sympathetically other Mexican requests for credit, provided they were guaranteed by the Mexican Government. Thus a quasi-official United States Government bank loaned government money to a government for bonds which no private individual banker would think of purchasing, after Mexico's spectacular defaults.

The joint two-man commission quickly agreed on the value of these vast petroleum properties, on April 17, 1942, four months after Pearl Harbor. In their report they stated: "Expropriation, and the right of eminent domain, under the respective constitution and laws of Mexico and the United States, are a recognized feature of the sovereignty of all states." They then awarded a total of \$23,995,991 U. S.\* for the value of the properties. The companies were still left open to private suits in Mexican courts.

The commissioners *recommended* that the balance of \$14,995,991, remaining to be paid after deducting the down payment already made of \$9,000,000, be paid as follows: one-third on July 1, 1942, and the remainder in five equal annual installments, at 3% interest.

Of course, the nature of the settlement with Mexico is such as to encourage expropriations and payment therefor at radically reduced value by other sovereign Latin American states, providing they feel themselves competent to administer and exploit property thus taken over. Mexico has not shown this competence. So she may have killed

\* This did not include the Sinclair interests (Consolidated Oil Co.) which constituted approximately ten per cent of the petroleum holdings of United States corporations in Mexico. In May, 1940, they settled directly with the Mexican Government for \$8,500,000, and made an agreement to buy 20,000,000 barrels of oil from Mexico during the next four years. See *New York Times*, May 8, 16, 19, 1940.



the goose of private foreign capital that laid so many eggs of prosperity for her. A realization of this, following the historic reconciliation of 1941-1942, is suggested by a decision of the Supreme Court of Mexico of July 1, 1942, ordering the return of 1,500,000 acres of petroleum lands to two Mexican-incorporated subsidiaries of the Standard Oil Company of New Jersey, on the technical ground that they had not been specifically named in the original decree of expropriation of March 18, 1938.<sup>8</sup> Another indication of caution on the part of the Mexican Government was the agreement of November 26, 1942, to pay, at least in paper *pesos* for dollars, scheduled over the years 1943-1968, \$235,000,000 of the direct bonded obligations of Mexico sold before the revolution through foreign bankers.

Any dispassionate study of the economic relations between the United States and Latin America, particularly those concerning investments, shows that, far from there having been any exploitation of the Latin American republics by economic imperialism, it has been the other way around: it is the Latin American governments which have exploited the capital of United States nationals indiscreet enough to have allowed their property to be trapped within the sovereign authority of those nations. The United States Government has really sacrificed much property of its nationals for broader political purposes of inter-American amity, connected intimately and vitally with the security of the Continental Republic and of the New World.

The loan of very generous amounts of public money to Mexico as a part of the diplomatic settlement of claims of November 19, 1941, was an example of the new dollar diplomacy that by this time had begun to put the foreign debts of Latin America into an inter-governmental relationship with the United States, from which the Good Neighbor Policy at first had so studiously excluded them. The new policy recalls the proposal of Secretary of State Bryan back in 1913 to refund the foreign debts of Latin American countries into loans from the United States Treasury at a lower rate of interest, those governments to set aside the resulting savings in interest as sinking-funds to pay off the refunded loans, thus soon freeing them altogether from foreign indebtedness. Bryan had then said, we remember: "We would in the end profit, negatively, by not having to incur expense in guarding our own and foreign interests there, and, positively, by the increase of trade that would come from development and from friendship which would follow the conferring of the benefits named."<sup>9</sup>

The new dollar diplomacy differed radically from Bryan's idea in that it did not include the satisfaction of the debts to private bondholders, who now happened to be predominantly citizens of the United States. It left the private creditors to fend for themselves as best they could against Latin American jurisprudence, with the feeble aid of that puny, disinherited and starving child<sup>10</sup> of the Department of State, the Foreign Bondholders Protective Council, whilst it proceeded to grant public loans through divers new government agencies, set up by a perplexed Congress, to the very Latin American governments which had defaulted on their dollar bonds, and who were "squeezing" the direct investments of United States nationals with their ingenious and unchallenged national, social, and economic legislation. "And if any man would go to law with thee, and take thy coat, let him have thy cloak also."

Official exponents of the new dollar diplomacy explain that in recent years private capital had not been interested in exporting itself in the old sense; because of this, Latin American governments had to make application to some government institution in the United States. Receiving such applications, the United States Government, instead of searching to find a place where a group of people who had privately-saved money could secure a private stream of profits, was now "anxious rather to find opportunities for sound development which might add to the general safety, security, and well-being of the Western Hemisphere." The economic interest in foreign markets had thus become a matter of social and governmental policy to stimulate not a limited set of buyers, but "*a general advance in civilization.*"<sup>11</sup>

The new government agencies through which the stream of public funds was placed in Latin American republics, now that private capital for very understandable reasons naturally had ceased to be interested in exporting itself, consisted of the Export-Import Bank (established, 1934), the Stabilization Fund (created, 1934, in the Treasury, out of "profits" from the law revaluing the gold dollar), and the Federal Loan Agency (organized, 1939). The following tabulation, as of the end of 1941, does not include lease-lend aid of undisclosed amounts, under the Lease-Lend Act of March 11, 1941, for the defense of Latin American republics, which is best considered in the following chapter. Nor does it include the benefactions to Mexico of silver purchases by the United States Treasury. And there is at least one case of direct military appropriation by the Congress of the United States after Pearl

Harbor<sup>12</sup> of \$20,000,000 to be distributed to Central American states for assistance in building the Pan American motor road through to Panama.

UNITED STATES GOVERNMENT LOANS TO LATIN AMERICA

*Through the Export-Import Bank of Washington*

*(Balance sheet of December 31, 1941—in \$1,000)*

	Author- ized	Cancelled and Expired	Total Commitment	Not Yet Dis- bursed	Dis- bursed	Repaid	Out- standing
Argentina.....	60,250	130	60,120 <sup>1</sup>	60,000	120	45	75
Bolivia.....	12	.....	12	12	.....	.....	.....
Brazil.....	83,298 <sup>3</sup>	4,575	78,723	67,196	16,394 <sup>2</sup>	7,269	9,125
Chile.....	24,425 <sup>4</sup>	434	23,991	17,954	6,735	1,629	5,106
Colombia.....	22,005	.....	22,005	12,218	9,786	870	8,916
Costa Rica.....	5,100	.....	5,100	4,100	1,000	.....	1,000
Cuba.....	25,000	.....	25,000	25,000	.....	.....	.....
Dominican Rep...	3,300	.....	3,300	2,409	891	89	802
Ecuador.....	1,150	.....	1,150	770	380	12	368
El Salvador.....	1,196	.....	1,196	1,196	.....	.....	.....
Haiti.....	11,000	.....	11,000	6,135	4,865	90	4,775
Mexico.....	30,500	274	30,226	30,000	226	149	77
Nicaragua.....	4,500 <sup>5</sup>	.....	4,500	2,229	2,535	264	2,271
Panama.....	2,500	.....	2,500	200	2,300	179	2,121
Paraguay.....	4,800 <sup>6</sup>	.....	4,800	2,555	2,370	160	2,210
Peru.....	10,000	.....	10,000	10,000	.....	.....	.....
Uruguay.....	7,500	.....	7,500	7,500	.....	.....	.....
Venezuela.....	9,600	.....	9,600	8,702	898	50	848
Total L.A.....	306,136	5,413	300,723	258,176	48,500	10,806	37,694

<sup>1</sup> \$60,000,000 expired January 5, 1942.

<sup>2</sup> Besides that amount, private banks have participated in financing \$1,000,000; total amount repaid.

<sup>3</sup> Includes \$250,000 revolving credits.

<sup>4</sup> " \$225,000 " " "

<sup>5</sup> " \$500,000 " " "

<sup>6</sup> " \$500,000 " " "

Source: Balance sheet of December 31, 1941, of Export-Import Bank of Washington.

In addition to the above loans through the Export-Import Bank, the United States Treasury made agreements with the treasuries of Brazil (July 16, 1937), Argentina (December 27, 1940), and Mexico (November 19, 1941), setting aside a total of \$150,000,000 gold from the Treasury's stabilization fund to assist the fiscal economy of those countries: \$60,000,000 to make dollar exchange available to Brazil, \$50,000,000 for stabilization of the Argentine *peso*, \$40,000,000 for stabilization of the Mexican *peso*.<sup>13</sup> These items looked like only a beginning of such inter-American fiscal arrangements.

In the preceding chapter we mentioned the American mission in terms of cultural exchange. The new dollar diplomacy is another expression of the American mission in terms of idealistic inter-American

economics. Its basic motive, however, is the same political objective of the Latin American policy of the United States as interpreted in this history from the very beginning: security of the Continental Republic, which in our days has come to be considered inseparable from "the general safety, security, and *well-being* of the Western Hemisphere," as contributing to the *general advance of civilization*.

Finally the new dollar diplomacy has brought the debtor-creditor connection for the first time into the sphere of inter-governmental relationships. This relationship is so likely to bother future inter-American diplomatic conferences, inviting a line-up of twenty debtor governments versus one creditor government, that one may wonder whether in the long run it is best calculated to cement continental solidarity in the hemispheric sense. Would it not be better if such loans could be made by an inter-American bank in which all the republics would hold stock in some agreed proportion?

#### AN INTER-AMERICAN BANK

The Seventh International Conference of American States at Montevideo passed a resolution recommending to the Third Pan American Financial Conference, scheduled to meet at Santiago de Chile, the creation of an inter-American Organization of Economic and Financial Cooperation. This would include an autonomous Inter-American Bank to exercise the functions of a Continental Central Bank as a regulator of credit and currency, its principal objectives to be: (a) to establish and promote inter-American credit and the interchange of capital, (b) to collaborate in the reconstruction of national monetary conditions, (c) to perform such other tasks as the Third Pan American Financial Conference should entrust to it. This conference was never convened by the Government of Chile.

Such an inter-American bank, not yet in operation, was provided by a convention drafted by the Inter-American Financial and Economic Advisory Committee set up in conformity with Resolution III of the Meeting of the Ministers of Foreign Affairs (see below, p. 365) at Panama in September, 1939. The convention was open to signature May 10, 1940. The bank is to be granted a charter by the Government of the United States substantially in accord with a "proposed charter" appended to the convention. The convention will go into force "if and when ratifications of this Convention shall have been deposited with the Pan American Union by at least five of the High Contracting Parties which have agreed to subscribe for at least a total of 145 shares of stock of the Bank." Capital stock is authorized in the sum of \$100,000,000 U. S., consisting of 1000 shares with a par value of \$100,000 each. To participate in the Bank each government must subscribe for a minimum number of shares "determined in relation to the total foreign trade of each of the American Republics during the year 1938"; these must

be paid for in gold or in United States dollars, and fifty per cent of the issue price must be paid for at the time of subscription, excepting the cases of the states subscribing to the least number of shares, when only twenty-five per cent of the issue price is called for upon subscription. The states are permitted to subscribe to stock in addition to the minimum. Only American republics may subscribe to the stock of the Bank. The Bank will be administered by a board of directors comprised of one director and one alternate appointed by each participating government. The purposes and powers of the Bank include: stimulation of prudent investment and full productive use of capital and credit, stabilization of currencies, general direct exchange, monetary reserves, the use of gold and silver, monetary equilibrium, the service of international payments, and the fostering of commerce. By July 15, 1942, nine states had signed the convention (United States, Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Mexico, Nicaragua, Paraguay), but none had deposited ratification.

See synopsis in *International Conferences of American States, First Supplement, op. cit.*, pp. 455-56. Text of convention in Department of State *Bulletin*, II, No. 46 (May 11, 1940), 512-22. See also *Bulletin of the Pan American Union*, LXXIV, No. 7 (July, 1940), 503-11.

## CHAPTER XXI

### *Munich, Lima, and Panama* (1938-1940)

DURING the two-year interval between Buenos Aires and Lima, Europe experienced a diplomatic shock of unprecedented force. It deprived the United States and the Latin American republics of that continental security which they had enjoyed since Versailles and Washington. At Munich in September, 1938, Adolf Hitler used the overwhelming might of a rearmed Germany to break up the post-Versailles system of alliances and upset the European balance of power. Without a war he won the fruits of one. At one stroke he made Germany the first power in Europe, as he laid his plans for the conquest of the whole continent: today Europe, tomorrow the entire world. When the Lima Conference met in December, 1938, the modern Alexander had not yet torn up the solemn promises made at Munich never to change another frontier in Europe. Czechoslovakia lived on as a mutilated state until March, 1939. But the signs were clear to all who cared to see. Great Britain and France prepared to meet the next German challenge. Not to resist was to perish without a struggle. The democratic nations of Europe girded themselves to confront the modern conqueror.

In the New World, too, signs were increasingly discernible of totalitarian activity of the kind that preceded political strokes: organization of German and Italian—and Japanese—nationals under the control of their diplomatic officials; the thrust of anti-democratic propaganda, some of it now funneled through fascist Spain; cultural missions cloaking fifth-columns; subsidization and control of the press by the nationalist grouping and manipulation of advertising; plebiscites for German nationals residing in Latin America; in sum, the preparations that innocent nations were always too late to suspect, and which soon were to be demonstrated so spectacularly in the fall of France. A New Holy

Alliance had appeared again to threaten the republican independence of the Western World.

War in Europe seemed certain when the delegates of the twenty-one American republics assembled at Lima. Their principal concern was to keep the New World insulated from the conflagration that seemed imminent across the Atlantic. It was a much more burning anxiety than they had experienced at Buenos Aires in 1936, when they had been as much exercised to preserve the peace of the Western Hemisphere from war or intervention from within as from without. At Lima nobody was nervous any longer about the "Colossus of the North"; it was the new Colossus of Europe that they feared. They paid only perfunctory attention to the agenda for the Conference that had been formulated by the Pan American Union four months before Munich. They did not perfect one single convention or treaty. Rather they devoted themselves to crystallizing and defining their common political and juridical principles, to reaffirming their political solidarity, and to pointing up and implementing the process of consultation in case the peace of the New World were threatened by a non-American power, a process which the opposition of Argentina, we recall, had left at Buenos Aires unshaped and unready.

In this forbidding world-setting the United States, purged of its historically ill-fitting imperialism and pledged to the new code of inter-American public law that had been signed at Havana, Montevideo, and Buenos Aires, assumed in the person of Secretary of State Hull<sup>1</sup> a respected leadership of the Pan American movement vis-à-vis the prospective conflagration in Europe.

The Minister of Foreign Affairs and Worship of Argentina, Dr. José María Cantilo, made an ostentatious trip aboard a battleship to the opening of the Conference at Lima, like President Roosevelt to Buenos Aires, except that he was no president, not he, Dr. Cantilo. He delivered the opening<sup>2</sup> address and then, after waiting long enough to hear the words of Secretary of State Hull next day, he steamed away.

While doing lip service to the political independence and republican government of the New World, the Argentine Minister emphasized the differences between the cultures, religions, economies, and even foreign policies (notably in regard to the Far East) of the United States and Latin American states. In his peroration<sup>3</sup> he extolled the union of the republics of the New World, a solidarity "without hegemonies or predominances," and closed with a quotation from Montesquieu: "An injustice to one is a threat to all."

One cannot help feeling that Dr. Cantilo's address was pointed more at fancied threats of hegemonies or predominances from the United States than at danger from a new Napoleonic upheaval in Europe. If so pointed, it failed of its aim, because it went back to yesterday rather than ahead to tomorrow. Yesterday the republics had their liberties, today they still possessed them, tomorrow they might lose them. At Lima the delegations were to take up the cue of all for one and one for all, not against the United States, but with the United States, for the New World versus the danger from the Old.

Secretary Hull, who again personally headed the United States delegation,<sup>4</sup> sounded, to the echo of prolonged applause,<sup>5</sup> the real pitch of solidarity in his speech to the plenary session on December 10.<sup>6</sup> He voiced the dangerous present rather than the embarrassing past, and looked anxiously across the ocean toward the ominous morrow. He stressed the community of interests among the American republics, not their differences. He warned the Conference of the resurgent forces of tyranny overseas. "Their ominous shadow falls athwart our hemisphere." "Each and all of us desire passionately to live at peace with every nation of the world," he declared.

"But there must not be a shadow of a doubt anywhere as to the determination of the American nations not to permit the invasion of this hemisphere by the armed forces of any power or any possible combination of powers. . . . Each and all of us desire to maintain friendly relations with every nation of the world—resting on a basis of mutual respect for national independence, upon non-interference in the internal affairs of others, upon fair dealing in every phase of international relationships. But there should not be a shadow of a doubt anywhere as to the determination of the American nations not to permit the invasion of this hemisphere by activities contrary or inimical to this basis of relations among nations."

This was the keynote of United States policy at the Conference: to renew the pledges to the inter-American system already sealed at Montevideo and Buenos Aires, and to implement the process of consultation particularly in case the peace of the Americas were endangered from without the New World. Secretary Hull accomplished this in securing unanimous acceptance to the Declaration of American Principles, and the Declaration of Lima.

These Declarations were reaffirmations and extensions of the Declaration of Principles of Inter-American Solidarity and Cooperation, which the Central American republics had proposed as a convention at Buenos Aires, but which, owing to the attitude of Argentina, that Con-



ference had voted after important modifications of Article II, as a resolution.

The documents presented by Mr. Hull at Lima were not treaties either. Accordingly they did not have the binding force of treaties. On the other hand, if they had been treaties it would have been impossible to get them ratified fully enough to make them effective before the anticipated war in Europe. They therefore depended upon their moral force, upon the *faith* which the peoples of the whole hemisphere had in these principles, and upon the resolution and determination with which their governments would consult and act in case they were endangered.

The future was to show that these statements were not pious wishes like the hundreds of handsome resolutions, homages, tributes, and recommendations that customarily amplify and embellish the final acts of Pan American conferences, and which were not missing at Lima.<sup>7</sup> They were something stronger. They had the moral force of fundamental principles. When the test came, they proved to be as strong or stronger than treaties. They lay at the heart of the Latin American policy of the United States as it faced the coming Armageddon. They represented also the essence of inter-American policy of all the republics, with the possible exception of Argentina—where still lurked the “shadow of a doubt.”

Any study of the Latin American policy of the United States must quote Articles CIX and CX of the Final Act of Lima in their entirety, not omitting the preambles. We take the liberty of printing the two documents in reverse order, placing first the Declaration of American Principles, introduced to the Conference by Secretary of State Hull himself. It represents the bases of solidarity that had taken shape in Pan American conferences since the Good Neighbor Policy appeared in the interlude of security after Versailles. Second, we reproduce the Declaration of Lima, as worked out in the Conference from a number of drafts (Argentina, Chile, Mexico, United States), but presented as a joint proposal of all twenty-one delegations.<sup>8</sup> It represents the common front which the American republics, because of their agreement on these principles, were able to turn toward reappearing danger from the Old World when the New Holy Alliance raised its head after Munich:

#### CX DECLARATION OF AMERICAN PRINCIPLES

Whereas:

The need for keeping alive the fundamental principles of relations among nations was never greater than today; and

Each State is interested in the preservation of world order under law, in peace with justice, and in the social and economic welfare of mankind,

The Governments of the American Republics Resolve:

To proclaim, support and recommend, once again, the following principles, as essential to the achievement of the aforesaid objectives:

1. The intervention of any State in the internal or external affairs of another is inadmissible.

2. All differences of an international character should be settled by peaceful means.

3. The use of force as an instrument of national or international policy is proscribed.

4. Relations between States should be governed by the precepts of international law.

5. Respect for and the faithful observance of treaties constitute the indispensable rule for the development of peaceful relations between States, and treaties can only be revised by agreement of the contracting parties.

6. Peaceful collaboration between representatives of the various States and the development of intellectual interchange among their peoples is conducive to an understanding by each of the problems of the other as well as of problems common to all, and makes more readily possible the peaceful adjustment of international controversies.

7. Economic reconstruction contributes to national and international well-being, as well as to peace among nations.

8. International cooperation is a necessary condition to the maintenance of the aforementioned principles.

## CIX DECLARATION OF THE PRINCIPLES OF THE SOLIDARITY OF AMERICA

### [Declaration of Lima]

The Eighth International Conference of American States

Considering:

That the peoples of America have achieved spiritual unity through the similarity of their republican institutions, their unshakable will for peace, their profound sentiment of humanity and tolerance, and through their absolute adherence to the principles of international law, of the equal sovereignty of States and of individual liberty without religious or racial prejudices;

That on the basis of such principles and will, they seek and defend the peace of the continent and work together in the cause of universal concord;

That respect for the personality, sovereignty, and the independence of each American State constitutes the essence of international order sustained by continental solidarity, which historically has been expressed and sustained by declarations and treaties in force;

That the Inter-American Conference for the Maintenance of Peace, held at Buenos Aires, approved on December 21, 1936, the Declaration of the Principles of Inter-American Solidarity and Cooperation, and approved, on December 23, 1936, the Protocol of Non-intervention,

The Governments of the American States Declare:

First. That they reaffirm their continental solidarity and their purpose to collaborate in the maintenance of the principles upon which the said solidarity is based.

Second. That faithful to the above-mentioned principles and to their absolute sovereignty, they reaffirm their decision to maintain them and to defend them against all foreign intervention or activity that may threaten them.

Third. And in case the peace, security or territorial integrity of any American Republic is thus threatened by acts of any nature that may impair them, they proclaim their common concern and their determination to make effective their solidarity, coordinating their respective sovereign wills by means of the procedure of consultation, established by conventions in force and by declarations of the Inter-American Conferences, using the measures which in each case the circumstances may make advisable. It is understood that the Governments of the American Republics will act independently in their individual capacity, recognizing fully their juridical equality as sovereign states.

Fourth. That in order to facilitate consultations established in this and other American peace instruments, the Ministers for Foreign Affairs of the American Republics, when deemed desirable and at the initiative of any one of them, will meet in their several capitals by rotation and without protocolary character. Each Government may, under special circumstances or for special reasons, designate a representative as a substitute for its Minister for Foreign Affairs.

Fifth. This Declaration shall be known as the "Declaration of Lima."

We can mention here only one of the other 110 important resolutions, declarations, recommendations, and homages—many of them of a cultural or ceremonial nature—which constituted the Final Act of the Lima Conference, a recommendation which strikes straight at the roots of one of the most ugly issues of human relations. Article XLV resolved: "To recommend to the nations of America that they coordinate and adopt provisions concerning immigration, wherein no discrimination based on nationality, creed or race shall be made, inasmuch as such discrimination is contrary to the ideal of fraternity, peace and concord which they undertake to uphold without prejudice to each nation's domestic legislation."

How singularly fortunate that a Pan American Conference had been scheduled for December, 1938! How timely it was that President Roosevelt had initiated a special inter-American peace conference at Buenos Aires two years before this! The twenty-one republics joined in the Declaration of Lima, implementing the Buenos Aires peace pacts (which were still unratified by some of the republics, notably by Ar-

gentina) just in time to confront together the European war in September, 1939.

When the expected blow fell on Europe the Declaration of Lima assumed the strength of twenty treaties! There had been no delay or debate or recriminations about ratification, because no ratification was necessary. The moral force of the Declaration, backed as it was by the twin Declaration of American Principles, manifested itself in the requests of nine governments (the United States, Argentina, Brazil, Chile, Colombia, Cuba, Mexico, and Panama) for an immediate Meeting of Foreign Ministers, which took place at Panama, upon the invitation of that government, September 23-October 3, 1939. It occurred simultaneously with a special session of the Congress of the United States called by President Roosevelt to revise the legislation of 1935 and 1937 which had prohibited the exportation from the United States to belligerent territory of arms, ammunition, or implements of warfare.

The Meeting of Foreign Ministers at Panama was most welcome to the Government of the United States; in fact it was just what the United States had been preparing for in the Conferences of Buenos Aires and Lima. It was President Roosevelt's policy to line up the republics in a neutrality favorable to the allied democracies, Great Britain and France.

The embargo feature of the neutrality legislation of the United States had been a product of that disillusionist historiography that first made its appearance in the Republic of the North ten years after Versailles, introduced by the German "revisionist" school of historical scholarship that stemmed from defeated Germany. Confronting the prospect of another European war that would close the interlude of continental security, the United States had actually repudiated Woodrow Wilson's choice of neutral policy by the neutrality laws of 1935 and 1937, laws which were to prove better calculated to keep the country out of the last war than out of the next one. By embargoing the export to belligerents, directly or indirectly, of arms, ammunition, or implements of warfare from the United States, Congress had unwittingly played into the hands of the recrudescing land powers, who were building up their plans for revenge and imperial conquest.

The neutrality embargo meant that the sea powers, who were the democracies, could not in the next war procure from the United States supplies of munitions with which to defend themselves against conquest by the totalitarian powers who dominated the land in Europe and the air over it. One diplomatic axiom of the new situation was this: the

United States and the other republics of the Western Hemisphere,—with the possible exception of Argentina—, as measured by immediate\* rather than long-range interests, had nothing to gain and everything to lose by a victory of Germany and Italy; they had nothing whatsoever to lose by a victory of Great Britain and France—the proof of that was their experience with allied victory after the First World War. The United States embargo on arms, ammunition, and implements of war was contributing to the defeat of the allied democracies.

Also disadvantageous to the democracies were the articles of the Inter-American Maritime Convention of 1928 which assimilated an armed merchantship to the status and treatment of a ship of war in neutral ports,<sup>9</sup> and which by implication allowed to belligerent submarines the same rights of hospitality as were permissible to belligerent surface warships.<sup>10</sup> This convention had been ratified by the United States and several Caribbean states, also by Ecuador and Bolivia!<sup>11</sup> If these new rules were to be followed by the unreserved parties to the Havana Convention, it would be most onerous to the sea powers. It meant that belligerent merchant ships (in effect, those of the allied democracies) could not stay in certain Caribbean neutral ports of the Western Hemisphere long enough to load a cargo if they were armed against submarines, whilst if they went unarmed, enemy submarines would presumably get them on the high seas. It meant that belligerent submarines (including German and Italian) might claim a right once in three months to visit a neutral port in the United States and certain Caribbean countries, and load enough fuel and supplies to take them back to their nearest home port. Little had the diplomats at Havana in 1928 realized that they were signing a convention that might turn the ratifying countries into submarine bases for Germany in a Second World War, while at the same time keeping out, in effect, the merchant ships of Germany's enemies.

Although President Roosevelt had signed the neutrality laws of 1935-1937, and proclaimed them to be in operation, September 5, 1939; although the State Department had endeavored to Pan Americanize the policy of this legislation at Buenos Aires only two years before, the President had been urging repeal of the embargo ever since the assas-

\* Argentina has always maintained her title to the Falkland Islands notwithstanding their occupation by Great Britain since 1833. Some Argentine statesmen may even hope to redeem sovereignty over them in case of a German victory in the Second World War; but, from the experience of Russia in 1939-1941, it is doubtful whether a promise of that kind would be honored by Germany. Certainly Germany would impose an enslaving servitude on any restored Argentine sovereignty over the islands.

sination of mutilated Czechoslovakia in the spring of 1939 had made war seem certain in Europe as soon as crops were harvested. Repeal of the embargo, by the Neutrality Act of November 4, 1939, passed during the course of the European War, after a long and thorough debate within Congress and without, was the first step in a deviation that was to result in the complete collapse of neutrality by 1941.<sup>12</sup> The United States was determined to stay neutral, but not content with a neutrality that would contribute to the defeat of Great Britain and France. Such an unbalancing of power would leave the Western Hemisphere between the jaws of a victorious German Empire in a conquered Europe and a triumphant Japanese Empire in a subjected Asia.

While Congress was in session at Washington, the Meeting of the Foreign Ministers at Panama had taken steps to insulate the New World from the war in Europe. The "Final Act" of Panama, October 3, 1939, incorporated political decisions more significant than those made at many a full-dress International Conference of American States—in fact, the successive Meetings of Foreign Ministers so rapidly occurring since 1939 have assumed a leading political and diplomatic role in inter-American affairs not inferior to the regular Pan American Conferences.

The economic, political, social and even religious reach of the resolutions incorporated in the Final Act of Panama far transcended the subject of the rights and duties of neutrals. A General Declaration of Continental Neutrality confirmed the duties incumbent upon neutrals, but laid down some specific resolutions which tended to Pan Americanize the neutrality policy of President Roosevelt:

Resolution 3 (b): The signatories "shall prevent, in accordance with their internal legislations, the *inhabitants* of their territories from engaging in activities capable of affecting the neutral status of the American Republics."

This was aimed at totalitarian intrigues and plottings.

Resolution 3 (i): "Shall consider as lawful the transfer of the flag of a merchant vessel to that of any American Republic providing such transfer is made in good faith, without agreement for resale to the vendor, and that it takes place within the waters of an American Republic."

This made it possible for ships flying the United States flag, and thus prohibited by the Neutrality Act of 1939 from entering European belligerent ports or combat zones, to escape the restriction of that act by a bona fide transfer to the flag of another American republic. In this way many former United States ships were able to carry arms, ammu-

dition, and implements of war to British and French ports, mostly under the flag of Panama.

Resolution 3 (j): "Shall not assimilate to warships belligerent armed merchant vessels if they do not carry more than four six-inch guns mounted on the stern, and their lateral decks are not reinforced, and if, in the judgment of the local authorities, there do not exist other circumstances which reveal that the merchant vessels can be used for offensive purposes. . . ."

This released those states that were parties to the Inter-American Maritime Convention of 1928 from the obligation to treat armed merchant ships as warships.

Resolution 3 (k): "May exclude belligerent submarines from the waters adjacent to their territories or admit them under the condition that they conform to the regulations which each country may prescribe."

This released the same states, including the United States, from the obligation to admit belligerent submarines, including German and Italian undersea craft, into their neutral ports. After the passage of the Neutrality Act of 1939, which gave him enabling power, President Roosevelt, fortified by the Act of Panama, immediately excluded belligerent submarines from the ports of the United States (November 4, 1939). So did fifteen Latin American governments<sup>13</sup> successively during the next two years.

Resolution 4: "In the spirit of this declaration, the governments of the American Republics shall maintain close contact with a view to making uniform as far as possible the enforcement of their neutrality and to safeguarding it in defense of their fundamental rights."

Resolution 5 set up, for the duration of the European war, an Inter-American Neutrality Committee, composed of seven experts in international law, to be designated by the Governing Board of the Pan American Union before November 1, 1939.

The recommendations of the committee were to be transmitted, through the Pan American Union, to the governments of the American republics. The significance of this committee diminished as the neutrality of the United States passed into a non-belligerent status, but it served to keep the several governments intimately *en rapport* during the decline of neutrality.<sup>14</sup>

Another declaration (No. VI) was for the humanization of war. It condemned, among other things, the use of poison gas, bacteria, inflammable liquids, bombardment of open cities, objects, and places without military value; poisoning water supplies; and sinking merchant

ships without having first placed the passengers, crew, and ship's papers in a place of safety. The war was to prove that mere declarations would not stop such dreadful practices, but the resolutions had the effect of mobilizing public opinion of the New World to condemn this inhuman warfare.

Another declaration (No. VII) registered the opposition of the First Meeting of the Foreign Ministers of the American Republics "to the placing of foodstuffs and clothing intended for civilian populations, *not destined directly or indirectly for the use of a belligerent government or its armed forces, on lists of contraband*."<sup>15</sup> By implication of the words here italicized, this tolerated the Anglo-American doctrine of continuous voyage applied to conditional contraband, invoked during the First World War, and again put into operation by Great Britain on September 12, 1939.

Another Declaration (No. VIII) called for the coordination by the republics of measures to repress "unlawful activities that individuals, whether they be nationals or aliens, may attempt in favor of a belligerent state." This was aimed obviously at fifth-columnists.

Another Declaration (No. IX) called for the Maintenance of International Activities in Accordance with Christian Morality. It undertook "to protest against any warlike act which does not conform to international law and the dictates of justice." This was at least a Christian expression.

The Final Act of the Meeting also recommended the study of the International Conference of Jurists, the Colombian proposal for an organic Association of American Nations;<sup>16</sup> and recommended to the signatory governments that they take measures to protect the Americas against subversive ideologies.

An important contribution of the Meeting was the creation by resolution (No. XIII) of an Inter-American Financial and Economic Advisory Committee to sit at Washington to recommend measures of economic cooperation, particularly to deal with the dislocation of international and national economies anticipated from the war. It consisted of one technical expert from each republic. One of its first offerings was the preparation of a convention to establish an inter-American bank, which we noticed at the close of the preceding chapter. We shall come back to the work of this committee later in the following chapter.

An historical and juridical curiosity of the Final Act was the Declaration of Panama: that "as a measure of continental self-protection, the American Republics, so long as they maintain their neutrality, are as



of inherent right entitled to have those waters adjacent to the American continent, which they regard as of primary concern and direct neutrality in their relations, free from the commission of any hostile act by any non-American belligerent nation, whether such hostile act be attempted or made from land, sea, or air." It defined the neutral zone very expansively by boundaries extending several hundreds of miles out to sea from the coasts of the Western Hemisphere south of Canada. This neutrality zone, and the expostulations that followed its violations, had no more effect on the opposing belligerents than did the commands of King Canute upon the tides of the sea not to rise against his shores.

The most important declaration of the Act stipulated that "in case any geographic region of America subject to the jurisdiction of any non-American state should be *obliged* to change its sovereignty and there should result therefrom a danger to the security of the American Continent, a consultative meeting such as the one now being held will be evoked with the urgency that the case may require." This was an inconclusive inter-American implementation—only to the point of agreement to consult—of the celebrated No-Transfer principle of the United States, older than the Monroe Doctrine, and long since a part of the Monroe Doctrine.

Finally the Act suggested the desirability of a second Meeting of Foreign Ministers at Havana on October 1, 1940, or earlier if found necessary.<sup>17</sup>

The Act of Panama, although consecrated to the peace of the republics of the New World and to their neutral solidarity, was pointed up like the foreign policy of the United States to a neutral solidarity benevolent to the allied democracies. It would keep the war away from the United States and Latin America by tipping the scales of neutrality in favor of Great Britain and France. Thus it was a diplomatic instrument of the whole New World. Nothing could more attest this than the final invocation, in a Pan American declaration, of the traditional No-Transfer principle in which the Latin American policy of the United States first took shape in 1811.

## CHAPTER XXII

### *One for All and Almost All for One* (1940-1942)

GERMAN conquests of Denmark, Norway, the Netherlands, Belgium, and France brought the United States and the Latin American republics face to face in the summer of 1940 with the very contingency so greatly feared by the fathers of American nationality in Jefferson's time: a transfer of American colonial possessions from one European power to another. At the beginning of the nineteenth century the lucky Louisiana procurement of 1803 had aborted a transfer which threatened the very life and independence of the United States as bounded by the treaty of peace and independence of 1783. That tremendous uncalculated piece of Jeffersonian diplomacy not only safeguarded the cis-Mississippi United States; it also doubled the territory of the new nation and placed it on the way to becoming a Continental Republic. The No-Transfer Resolution of 1811 was directed against a threat which would have undone the Louisiana Purchase, had Spanish Florida fallen into the hands of Great Britain or Napoleon on the eve of the War of 1812. In 1940 the menace suddenly appeared of the Dutch, French, or even British colonies of the islands and shores of the Caribbean falling into the hands of the new Napoleon of the twentieth century. As the Mississippi River was the life-line of the United States in 1811, so the Panama Canal was the life-line of the Continental Republic and of the Western Hemisphere of republican independence, in 1940.

German possession of Caribbean naval bases would threaten the safety and liberty of the whole New World. As the German mechanized hordes were crashing through a prostrate France, the Congress of the United States, at the proposal of Secretary of State Hull, unanimously passed a joint resolution, June 18, 1940:

"(1) That the United States would not recognize any transfer, and would not acquiesce in any attempt to transfer, any geographic region of this hemisphere from one non-American power to another non-American power; and

"(2) That if such transfer or attempt to transfer should appear likely, the United States shall, in addition to other measures, immediately consult with the other American republics to determine upon the steps which should be taken to safeguard their common interests."

At the same time the Secretary of State formally notified the German and Italian Governments that the United States would not recognize such a transfer. From Germany he received a tart answer.<sup>1</sup>

How fortunate—to use a pagan word—that the Good Neighbor Policy had cemented the solidarity of the American republics in an interlude of security before the menace of Hitler rose so visibly and so portentously across the Atlantic, while at the same time another conqueror was towering up across the Pacific! How providential that the free republics of the New World had placed themselves in such a happy relationship that at the Second Meeting of Foreign Ministers in Havana, July 21-30, 1940, they could take a stand of all for one and one for all!

The Havana Meeting carried out the intent of the Buenos Aires Convention and the Declaration of Lima to provide consultation for common safety and common interests of the American republics in case the New World were threatened by events from a non-American power, or, as the language of Lima had put it more cautiously and universally at the insistence of Argentina, from "foreign intervention or activity." Havana fulfilled the Latin American policy of the United States as patiently moulded by Secretary of State Hull during the previous eight years. Our particular interest in these pages limits us to mention of the principal resolutions, and the convention, that achieved this purpose.

A series of declarations were directed against abuse of the diplomatic and consular function by the agents of foreign powers, to the coordination of police and judicial measures for the defense of society and the institutions of each American state, to precautionary measures with reference to the issue of passports, to defense against activities from abroad aimed at the integrity of domestic institutions, and against the diffusion of doctrines tending to place in jeopardy the common democratic idea or to threaten the security or neutrality of the American republics; and in general to the promotion of continental solidarity. Certain resolutions gave further impetus to a program of economic and

financial cooperation to meet the dislocations caused by the European War. This was intrusted to the Inter-American Financial and Economic Advisory Committee that had been set up in Washington after the Panama Meeting, and to its creature, the Inter-American Development Commission.\* The works of this Commission multiplied rapidly. It negotiated a coffee convention (1940) among fourteen coffee-producing states and the United States, designed to keep up the price of coffee. It produced a series of preclusive bilateral purchasing agreements, for strategic war materials, between the United States and Brazil (May 14, 1941), Bolivia (May 21, 1941), Mexico (July 14, 1941), and Chile (January 30, 1942).† It also led to the convening of a special Inter-American Maritime Conference in Washington in November, 1940, which prepared the way for taking over interned German, Italian, and Danish ships for utilization in inter-American trade, thus releasing that much native tonnage for the trans-Atlantic trade to Great Britain.

The real diplomatic fruition of the Latin American policy of the United States at Havana consisted of two particular declarations, and a convention.

Declaration No. XV embodied the all-for-one-and-one-for-all principle, of Uruguayan origin, for which the United States had worked for so many years, the Declaration of Reciprocal Assistance and Cooperation for the Defense of the Nations of the Americas:

"That any attempt on the part of a non-American State against the integrity or inviolability of the territory, the sovereignty or the political independence of an American State ‡ shall be considered as an act of aggression against the States which sign this declaration.

"In case acts of aggression are committed or should there be reason to believe that an act of aggression is being prepared by a non-American nation

\* Created by a resolution of the Committee January 15, 1940, it held its first meeting on June 3, 1940. It consisted of five members, charged with "promoting the formation and financing, with mixed United States and Latin American capital, of such enterprises as will undertake the development of new lines of Latin American production for which a new or complementary market can be found in the United States or in other Republics of the Western Hemisphere." The Commission was empowered to appoint a cooperating committee in each country consisting of United States and Latin American experts. These were set up during 1940 and 1941. *International Conferences of American States, First Supplement, 1933-1940, op. cit., p. 472.*

† These agreements presaged still broader bilateral agreements for a common collaboration, after the war jumped to the Western Hemisphere: Nicaragua (April 8, 1942), Mexico (April 17, 1942), Costa Rica (June 16, 1942) were among the first of such.

‡ This phraseology conceivably included Canada. See note at end of chapter.

against the integrity or inviolability of the territory, the sovereignty or the political independence of an American nation, the nations signatory to the present declaration will consult among themselves in order to agree upon the measure it may be advisable to take.

"All the signatory nations, or two or more of them, according to circumstances, shall proceed to negotiate the necessary complementary agreements so as to organize cooperation for defense and the assistance that they shall lend each other in the event of aggressions such as referred to in this declaration."

This highly important declaration prepared the way for the mutual defense agreements which the United States proceeded to negotiate with various republics in anticipation of war. Conversations with Mexico began early in March, 1941, formulating plans for common defense; these led to the creation of a joint United States-Mexican Defense Commission January 12, 1942,<sup>2</sup> modeled after the similar United States-Canadian Defense Commission of August 17, 1940, and serving to supplement it. A similar military and naval agreement was signed with Cuba, September 7, 1942. Its terms remained secret, for military reasons, because both nations by then were formally at war with Germany, Italy, and Japan. Before Pearl Harbor eight bilateral lend-lease agreements for the delivery of military and naval supplies had been made with: Bolivia, Brazil, Cuba, Dominican Republic, Haiti, Nicaragua, Paraguay, and Guatemala.<sup>3</sup> After Pearl Harbor similar agreements were made with \* Colombia, Costa Rica, Ecuador, El Salvador, Paraguay, Honduras, Mexico, Peru, Uruguay, Venezuela, and Chile.

Declaration XX, the "Act of Havana," stated that in case of danger of a territorial transfer that might convert European territorial possessions into strategic centers of aggression against nations of the American Continent, the American nations, "taking into account the imperative need of continental security and the desires of the inhabitants of the said islands or regions," might step in and set up a regime of provisional administration.

A convention was signed at the same time, the Convention of Havana, to go into effect when ratified by two-thirds of the signatories (this took place by January 8, 1942),\* to regulate the details and prin-

\* This is one of the few inter-American treaties that Argentina has ratified and the only major one aside from the Saavedra Lamas Anti-War Pact of 1933. The Argentine reservation to the treaty doubtless explains the ratification: "The Delegate of the Argentine Republic in signing this Act places on record that it does not refer to or include the Malvinas Islands, because the latter do not constitute a colony or possession of any European nation, since they are a part of the Argentine territory and

ciples of the provisional administration by a committee of the contracting parties. The preamble of the Convention, among other things, repeats the sense of the inter-American declaration of August 3, 1932, against recognizing the fruits of force, and also the joint resolution of the United States Congress of June 18, 1940.\*

The Act of Havana declared that, pending the ratification of the Convention, an emergency committee should be set up in anticipation of such a threatened territorial transfer. "Should the need for emergency action be so urgent that action by the committee cannot be awaited, any of the American Republics, individually or jointly with others, shall have the right to act in the manner which its own defense or that of the continent requires. Should this situation arise, the American Republic or Republics taking action shall place the matter before the committee immediately, in order that it may consider the action taken and adopt appropriate measures." †

Although the language of this declaration was collective, the effect of the Act of Havana was to secure just exactly what the United States desired as a cap-stone to its Latin American policy: a cheerful Pan American mandate to enforce the No-Transfer principle in the case of

are included within its dominion and sovereignty, as was stated at the Panama meeting, which statement he considers reiterated hereby in its entirety, and also with reference to other southern Argentine regions as he stated in the deliberations of this Commission. He likewise states that the signing of this Act and Resolution does not affect and leaves intact his Government's powers established in the Constitutional norms which obtain in Argentina, with respect to the procedure applicable in order that this Act and Resolution may acquire validity, force, and effectiveness."

Chile made reservation of its rights in Antarctica.

\* "*Three*. That the American Republics consider that force cannot constitute the basis of rights, and they condemn all violence whether under the form of conquest, of stipulations which may have been imposed by the belligerents in the clauses of a treaty, or by any other process.

"*Four*. That any transfer, or attempted transfer, of the sovereignty, jurisdiction, possession or any interest in or control over any such region to another non-American State, would be regarded by the American Republics as against American sentiments and principles and the rights of American States to maintain their security and political independence.

"*Five*. That no such transfer or attempt to transfer or acquire any interest or right in any such region, directly or indirectly, would be recognized or accepted by the American Republics no matter what form was employed to attain such purposes. . . ."

† A final paragraph stated that: "None of the provisions contained in the present Act refers to territories or possessions which are the subject of dispute or claims between European powers and one or more of the Republics of the Americas." This excluded territory in dispute between British Honduras and Guatemala, and the Falkland Islands, sovereignty over which is in dispute between Argentina and Great Britain.

great and swift emergency. In line with this the United States with the cooperation of Brazil occupied Dutch Guiana \* in November, 1941.

The Havana Meeting also served as a background of Pan American goodwill for the consummation of the dramatic destroyer-naval base agreement with Great Britain on September 2, 1940, by which the United States traded to Great Britain fifty destroyers in return for ninety-nine-year leases of naval and aerial bases in Newfoundland, Bermuda, the Bahama Islands,† Antigua, St. Lucia, Trinidad, British Guiana, and Jamaica, new citadels in the western Atlantic designed to screen the Continental Republic and the other nations of the Western Hemisphere from attack by a non-American power, even as the Hawaiian Islands, Wake, Midway, the Aleutians, and Samoa were relied on for the same purpose in the Pacific. In a handsome diplomatic gesture the Secretary of State announced that these Atlantic bases would be at the disposal of any American republic.<sup>5</sup> It was on the basis of the Act of Havana, too, that the United States occupied Greenland, April 9, 1941, under an agreement with the Danish Minister in Washington which preserved the sovereignty of Denmark and made the bases to be established by the United States available to the vessels and airplanes of all the American *nations* for purposes connected with the common defense of the Western Hemisphere.<sup>6</sup> The word *nations*, as distinct from republics, doubtless included Canada. These new positions reinforced the Monroe Doctrine, with its No-Transfer principle.

The supreme test of the Latin American policy of the United States as it had been built up on the basis of continental security, independence, and republican solidarity, from the No-Transfer principle of 1811 to the Act of Havana of 1940, came with Japan's spectacular surprise attack on Pearl Harbor, December 7, 1941. The republics of the New World had said at Havana that any attempt against the territory or sovereignty of one of them should be considered an act of aggression against all of them. How now would they react when Japan attacked the United States, and her allies Germany and Italy declared war on the United States? How would those nations which had been the scene of United States interventions respond when the Republic of the North met its time of trial? Would they welcome the discomfiture of

\* The American republics did not consider occupation of the Dutch Caribbean islands of Curaçao and Aruba by allied forces, the day after Germany invaded the Netherlands, as a violation of the No-Transfer principle. They did not deem it likely to convert those territories into "strategic centers of aggression." On the contrary they seemed to consider it a protection against aggression.

† The bases in Newfoundland and Bermuda were given without equivalent.

the "Colossus" whom they had regarded as an imperialistic power? Or would they feel that their independence and liberty were bound up with that of their "alien" neighbor and his Isthmian life-line?

The very countries which had been the "victims" or closest witnesses of United States intervention or influence during the decades of protective imperialism, namely Cuba, Panama, the Dominican Republic, Haiti, Nicaragua, Guatemala, Honduras, El Salvador, and Costa Rica, immediately and spontaneously declared war against the enemies of the United States, and took their stand with the United Nations in the Declaration of January 1, 1942. Colombia, Mexico, and Venezuela severed diplomatic relations with Germany, Italy, and Japan. Mexico and the United States promptly set up a mutual defense commission. All of the other South American states sent messages of sympathy and assured the United States of their solidarity according to the principles of the Havana Resolution. None proclaimed its neutrality so far as the United States was concerned. Argentina,\* Bolivia, Chile, and Uruguay specifically declared that they would not treat the United States as a belligerent. Chile promised that she would take all precautions to protect the production and furnishing of strategic materials to the United States, and called for a Meeting of the Foreign Ministers to convene immediately in Rio de Janeiro. Argentina, Bolivia, Brazil, Colombia, and Paraguay specifically denounced the aggression of Japan.<sup>7</sup> These actions and expressions showed conclusively that all the Latin American republics really regarded the United States as a good neighbor.

The Second World War, for such it came to be after Pearl Harbor, brought the Latin American policy of the United States to its climax at the Third Meeting of the Foreign Ministers of American States at Rio de Janeiro, January 15-28, 1942, to consult as to what they should do as a result of the aggression committed against a sister republic of the New World. Their first act was to reaffirm their declaration that any act of aggression against one of them was to be considered an act of aggression against all of them. Therefore:

"The American Republics, in accordance with the procedures established by their own laws and in conformity with the position and circumstances obtaining in each country in the existing continental conflict, recommend the breaking of their diplomatic relations with Japan, Germany, and Italy, since

\* The Argentine note referred only to the war between the United States and Germany and Italy.



the first-mentioned State attacked and the other two declared war on an American country."

The original declaration, as proposed by Mexico, Colombia, and Venezuela, was for a clean-cut break by all with the three enemies, but the contingent language was adopted to secure the assent of Argentina, who had objected. As a result of this recommendation, all the South American republics who had not already done so, except Argentina and Chile, severed their diplomatic relations with Japan, Germany, and Italy.

The Meeting then proceeded to the consideration of vital inter-American problems brought up by the extension of the war to the Western Hemisphere. We may best group the forty-one resolutions and declarations—there were no treaties or conventions—of the Rio de Janeiro Meeting into three categories: inter-American political cooperation for the conduct of the war; the reiteration of old principles of inter-American solidarity, and the formulation of new principles; and inter-American economic collaboration, including the creation of new inter-American economic institutions for the execution of that collaboration. The spectacular break of diplomatic relations with the enemies of the United States has tended to divert public attention from these other important accomplishments. They did nothing less than mobilize the American belligerents and non-belligerents under the leadership of the United States for the defense of the New World.

The articles for political cooperation included the suppression of subversive activities, with an "Emergency Advisory Committee for Political Defense" to concert policy;\* coordination in great detail of police and juridical measures and of systems of investigation; the control of civil and commercial aviation and telecommunication, particularly between the republics and the "aggressor states"; and finally and most important of all, the meeting immediately in Washington of an Inter-American Defense Board composed of military and technical representatives of all the twenty-one republics to recommend to their several governments "measures necessary for the defense of the continent." This board had its first meeting in Washington, March 30, 1942. It became the diplomatic apparatus for joint war effort.

The political articles of the Final Act served to confirm the cause

\* This committee was organized by the Governing Board of the Pan American Union, February 25, 1942, with members from Argentina, Brazil, Chile, Mexico, United States, Uruguay, Venezuela. Its permanent seat and secretariat is at Montevideo. The first meeting was held April 15, 1942.

of the United States and the United Nations. They baptised that cause with the established principles of inter-American public law. The republics at Rio repeated their devotion to continental solidarity in the observance of treaties.<sup>8</sup> They reiterated the principle that aliens residing in an American state are subject exclusively to the jurisdiction of that state—this time aimed not at the United States but at the intrusive tactics of the aggressor nations in the organization of their nationals abroad. They affirmed the traditional theory of law in the face of a deliberate disregard of international justice and morality. They declared that no American state could represent before another American state the diplomatic or other interests of a non-American state. They recommended the improvement of health and sanitary measures and the humanization of war. They also condemned again all inter-American conflicts—it was at this conference that the last great boundary conflict, between Ecuador and Peru, was placed in the way of final settlement. They went out of their way to condemn the existence of European penal colonies (like Devil's Island in French Guiana) on the American continent.

More important were the principles which the Foreign Ministers at Rio adopted specifically in favor of the United Nations. They recommended the continuance of diplomatic relations with the governments of the occupied countries. They roundly condemned the aggression of Japan against the United States. They transformed the Inter-American Neutrality Committee, created at Panama, into an Inter-American Juridical Committee,<sup>9</sup> the better to conform to the "new situation." They resolved: "that in conformity with the principles of American solidarity, the Republics of this continent shall not consider as a belligerent any American State which is now at war or may become involved in a state of war with another non-American State." In looking forward to post-war problems, they declared that world peace and collective security must be based on the principles which had inspired the inter-American system. They expressed to the President of the United States their satisfaction with the inclusion in the Atlantic Charter<sup>10</sup> of "Principles which constitute a part of the juridical heritage of America in accordance with the Convention of the Rights and Duties of States" of Montevideo of 1933.

The Foreign Ministers at Rio de Janeiro came out, in effect, for the type of international economic amelioration envisaged by Secretary Hull's New Reciprocity. To this end they requested the Governing Board of the Pan American Union to entrust the consideration and

formulation of present and post-war economic problems to the Inter-American Financial and Economic Advisory Committee and the Inter-American Juridical Committee. Finally, they gave an accolade to the Good Neighbor Policy as "proclaimed and observed by the United States," which the reader of this book may consider a tribute to the Latin American policy of the United States: "That the principle that international conduct must be inspired by the policy of the good neighbor is a norm of international law of the American continent."

The Rio Meeting had to consider with the greatest concern practical economic problems that were bound to result from the further dislocation caused by the war's leap to the New World. To cope with these, the Foreign Ministers recommended a program of economic collaboration: production of strategic materials;\* measures for maintaining the internal economy of the American countries; the mobilization and control of transportation facilities, cutting off those with the Triple Alliance; the creation of an inter-American stabilization fund; the mobilization of raw materials to raise the standard of living of the American peoples; and support for the Inter-American Statistical Institution at Washington. Under the heading of commercial facilities for inland states, they recommended a multilateral convention binding each other not to claim most-favored-nation treaty privileges in regard to special concessions that each of them might grant to the commerce of inland countries (Paraguay, Bolivia) to eliminate<sup>11</sup> or minimize geographical disadvantages. They urged the Inter-American Financial and Economic Advisory Committee to encourage inter-American capital investments. They requested the states that had not yet ratified the convention for the creation of an Inter-American Bank to study the matter and make known their decisions. They recommended the severance of all commercial and financial relations with the belligerent states members of the Tripartite Pact.† This placed the seal of Pan American approval

\* In accordance with this resolution (No. II) the United States in 1942 quickly negotiated agreements with the rubber-producing countries of Latin America, in the following sequence: Brazil, Peru, Nicaragua, Costa Rica, Colombia, Bolivia, Ecuador, Honduras, El Salvador, Guatemala, Mexico, Panama. Agreements were also concluded with Trinidad and British Guiana, and British Honduras. It was agreed to buy the entire rubber production over domestic consumption for the next five years (i.e., to December 31, 1946), and to provide stipulated amounts of capital to stimulate production.

† Argentina entered a reservation here limiting such severance of relations, in the case of firms and individuals, to those "managed or controlled by aliens or from foreign belligerent countries not in the American continent."

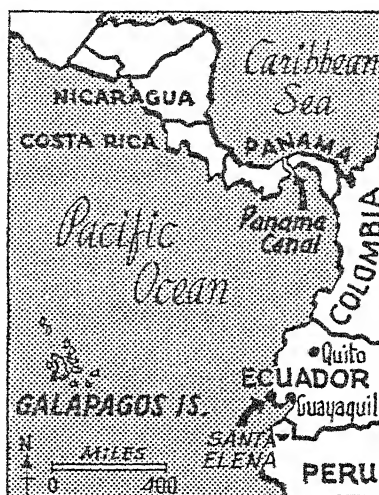
Chile made the reservation that these measures must be approved by her National Congress.

and collaboration<sup>12</sup> on the action of the United States, initiated early in the summer of 1941, prohibiting trade by its nationals with a blacklist of Axis firms and nationals in Latin America. Finally they resolved upon the creation, within the Inter-American Development Commission, of a permanent body of technical experts to study the national resources of each country when so requested by its government.

All these rapidly conceived measures<sup>13</sup> brought the political, economic, and, in some instances, military collaboration of the other republics to the support of the United States in the Second World War.<sup>14</sup>

In one of the darkest hours of the Second World War, on June 1, 1942, Mexico—following the torpedoing without warning of several of her ships in the Gulf of Mexico—pledged her final fraternity to the Good Neighbor in a declaration of war against Germany, Italy, and Japan. This valiant action sealed an historical reconciliation. In an even darker moment, Brazil, after a number of her merchant ships, and a military transport, had been similarly attacked and sunk, with heavy loss of life, declared war, August 22, 1942, on Germany and Italy. This courageous decision dramatized again the historic Brazilian-American affinity. Both Mexico and Brazil joined the United Nations and entered into military cooperation with the United States.

Two important exceptions to complete inter-American solidarity in time of supreme crisis were Argentina and Chile. These governments, as we have observed, announced that they would not treat the American republics at war with non-American powers, as belligerents; and they participated in the various inter-American meetings and conferences, before and after Pearl Harbor, and in the various inter-American continuing organizations for collaboration; but they did not sever diplomatic relations with the Tripartite Powers, as recommended at Rio de Janeiro. Their solidarity, particularly in the case of Argentina, appeared more and more perfunctory. Despite the resolutions of Rio, their offi-



MAP 13. UNITED STATES BASES IN GALAPAGOS ISLANDS AND SANTA ELENA

cial spokesmen began to refer to their position as one of "neutrality," "prudent neutrality."

Argentine policy had been not unwilling to cooperate, rather grudgingly, with a Pan American neutrality—the ostensible goal of the Panama Meeting of 1939—and even to ratify the Havana Convention of 1940 after reserving an assertion of sovereignty over the Falkland Islands. When the United States began to veer away from neutrality following the German invasion of the scrupulously neutral kingdoms about the North Sea, and the fall of France, Argentina stood off and attempted to take the leadership of a continuing Latin American neutrality. The American naval disaster at Pearl Harbor, the fall of Manila, the British defeats at Hong Kong and Singapore, coupled with the German victories in Russia, gave plausible weight to the advocates of a "prudent neutrality" in the distant republics of Argentina and Chile, which seemed on the map so far from the theater of conflict, but which actually in the days of global war were not so distant as might be desired. Military alliance of Great Britain and the United States with Soviet Russia strengthened the specious arguments of those who distrusted democracy and its Four Freedoms. They argued, down there at the southern tip of the New World, first, that it would be imprudent to get involved in the tail-end of a war already lost to the Tripartite Powers; and then, that if the United States and her allies should win, the world would be engulfed in communism and they would lose their property.

Both arguments, opposite as they were, appealed to the large property owners of Argentina and Chile. By the same token such reasoning rallied the champions of democracy successively to support Pan American solidarity, the United States, and the United Nations. In Argentina, at least, the advocates of neutrality carried the day. After the retirement and death of President Ortiz, they controlled the executive. In the regular legislative session of 1942 the lower house of the Argentine Congress voted a resolution in favor of breaking with the Tripartite Powers, but the Senate rejected it. The new President, Mr. Ramon S. Castillo, formerly Vice President and Acting President, determined to ride out the storm on the badly battered ship of neutrality, hoping that the war would be over before the national elections of 1943. In Chile, fresh elections in 1942 proved to be indecisive; there the new government at first clung to neutrality against a rising popular clamor. It is interesting to note that in the conflict of policy that raged in Argentina and Chile, as it had raged only a year previously in the United

States, it was the executive power which clung to neutrality, whereas in the United States the executive had led the country away from neutrality.

Advocates of neutrality in Chile and Argentina and their frustrated followers in other Latin American countries turned fondly again toward Hispanism as an antidote for Pan Americanism while they still gave lip service to Continental Solidarity. In Europe, the fascist Government of Spain, installed by the intervention of Germany and Italy in the Spanish Civil War, became the spearhead of totalitarian political penetration in the guise of cultural affinity. *Hispanismo* or *Hispanidad* became now more than a movement for cultural reunion of the Latin American republics with the mother country; it appeared as a political weapon in the hands of Hitler, who held the butt of the fascist spear of power, with Mussolini and Franco in front of him supporting the shaft as it pointed across the South Atlantic. On January 8, 1941, General Franco, dictator of Spain, set up a *Consejo de Hispanidad* in Madrid for the purpose of promoting his own fascist brand of Hispanism in Latin America.<sup>15</sup>

Argentina and Chile, who maintained their diplomatic contacts with the Tripartite Powers after Rio de Janeiro, became the last refuge of fascist intrigue and secret service in the New World. The embassies and consulates of the totalitarian powers organized their nationals and sympathizers into political fifth columns. Working under cover of their embassies these operatives furnished information to their governments about the movements of ships to the United Nations and gave other valuable military information. Acting Secretary of State Sumner Welles characterized this sinister passiveness of two of the signatories of the Rio resolutions as equivalent to a stab in the back at sister republics engaged in a life-and-death struggle to preserve the liberties and integrity of the New World.<sup>16</sup>

Sumner Welles timed his speech, prepared only after consulting with the governments of the other American belligerents, for the eve of a scheduled visit in October, upon invitation, of the new President of Chile, Juan Antonio Rios, to the White House. The statement led to formal protests by the Governments of Argentina and Chile, which Welles received and answered personally as Acting Secretary of State. The Chilean Government postponed President Rios's visit to Washington but immediately arrested the German spies that were, among other grievances, the subject of the Welles statement. Foreign Minister Ruíz Guiñazú of Argentina responded with an international fraternal

broadcast to General Franco on the occasion of Columbus Day, October 12, 1942, the day invoked by the advocates of *Hispanismo* as *El día de la raza*, the day of the Spanish race. Argentina and Spain, said the Minister of Foreign Affairs and Worship over the ether waves from Buenos Aires, were two nations "which find themselves traveling the same road and which have parallel interests." The ostentatious participation of the President and other high officials of the Argentine Government in obviously pro-Franco ceremonies was echoed through other South American nations, in feeble contrast to the ceremonies in favor of the American belligerents sponsored by popular groups.<sup>17</sup> The Argentine Government of the day stood revealed in its true colors. It had displayed to the world an avowed affinity with General Franco and his totalitarian friends who held with him the butt and shaft of the fascist spear pointed at the liberties of republican Latin America. A few days later, November 2, 1942, despite a state of siege in Argentina, a fascist party, *La Alianza de Juventud Nacionalista*, was allowed to make open appearance in the streets of Buenos Aires and to parade symbols and paraphernalia in imitation of similar European organizations.<sup>18</sup>

Meanwhile the attitude of the Argentine and Chilean Governments did not go unrebuked by their injured belligerent sister republics of Latin America. At Montevideo, the Inter-American Emergency Advisory Committee for the Political Defense of the Western Hemisphere, created under Article XVII of the Final Act of the Rio Meeting, voted (November 3, 1942) 6-1, Chile in the negative and Argentina abstaining, to make public the 7000 word memorandum submitted by the United States to the Chilean Government June 30, 1942, giving full particulars of the operations of totalitarian spies in Chile. Thus was the inter-American handiwork of Rio promptly brought forth diplomatically to implement Pan American solidarity. The Chilean Government then took action to banish the Axis agents complained of. On January 20, 1943, Chile formally broke off diplomatic relations with Germany, Italy, and Japan. Upon the request of Argentina, the United States furnished that Government with detailed memoranda upon the operation of Axis agents within that republic. The Inter-American Emergency Advisory Committee for the Political Defense of the Western Hemisphere also gave pitiless publicity to these memoranda, over the negative vote of Argentina, Chile abstaining. The Argentine authorities arrested a group of German spies, and the Supreme Court of Argentina indicted the German naval and air *attaché* as their head and declared that the Minister of Foreign Affairs should request the German Govern-

ment to waive its diplomat's immunity so that he could stand trial in Argentine courts. When the German Government refused, the Argentine Government expelled the obnoxious *attaché* for conduct incompatible with his diplomatic status "and with Argentine neutrality." Thus, in expelling the diplomat, the Argentine Government referred studiously, and officially, to its *neutrality*.

In Argentina the rupture of relations with the Tripartite Powers, test of professions of inter-American solidarity, became the political issue of 1943. All internal politics hinged on that issue of foreign policy. Meanwhile President Castillo choked off all public discussion of foreign affairs. Brazil's entrance into the war in August had helped to strain the political situation in both of the southernmost republics. As the fateful year 1943 opened, the great question of inter-American affairs was whether Argentina would continue to stand aloof while the liberties of the republics of the New World were at stake. It was the same question which had agitated the United States before 1941.

Closer to the Caribbean danger zone, other strategically located republics responded wholeheartedly to the dangers of the situation. The Governments of Ecuador and the United States announced on September 8, 1942, through the press a "friendly agreement" by which the United States had established naval bases in the Galápagos Islands, that strategic archipelago six hundred miles off the coast of Ecuador, 1010 miles southwest of the Pacific entrance of the Panama Canal, and at Santa Elena, the westernmost tip of the Ecuadorean coast. This was a move of extreme significance, for the Galápagos Islands are to the Pacific defenses of the Panama Canal and the Pacific Coast of middle America what the Bahamas, the Bermudas, and the Caribbean bases are to the defenses of the New World. The coasts of Ecuador and of Colombia are the southern flanks of the Panama Canal. Japan's successful campaign against Singapore in Malaya has shown how, after a naval defeat, the most powerful fortifications pointing out to sea can be out-flanked by land approaches of an enemy even through the most pestilential and impassable jungles. Since Singapore the land approaches to Panama assume a new and vital significance.

The United States has regarded the Galápagos Islands as one of the most vital danger spots to the Monroe Doctrine. Its policy toward them was aptly summed up by Assistant Secretary of State Alvey A. Adee in 1906: "We don't want them ourselves and won't allow any European (or extra-American) power to secure control of them." Since the opening of the twentieth century it had declined several offers of the Ecua-



dorean Government to sell or lease the islands, and opposed occasional projects of that government to dispose of them to a non-American power, such as Germany, Great Britain, or France.<sup>19</sup>

At any time previous to the Second World War such an event as the United States-Ecuadorean agreement would have been excoriated throughout Latin America as a wicked stroke of "Yankee imperialism." In 1942 it was welcome. It had become evident that on the defenses of the Panama Canal depended not only the security of the Continental Republic but the safety of the whole New World. This truth has been the foundation of the Latin American policy of the United States since the dawn of the twentieth century.

History, if not geography, has joined the security of the Continental Republic and the defense and well-being of the whole New World to make of them the touchstone of the Latin American policy of the United States. To make possible hemispheric solidarity the Republic of the North had accepted as principles of inter-American public law the dicta of Latin American jurisprudence to which we have devoted so much attention in the latter half of this book, and Secretary Hull had put them forward as his own at Lima. In 1942-1943 the fruit of the carefully and sincerely cultivated Good Neighbor Policy was being gathered.

What more could be asked of the Latin American policy of the United States than that the other republics should rally behind the Republic of the North in the time of supreme test to help support its heavy burden in a war for the survival of free men and nations? Only that Argentina should fall perfectly into line with her sister republics in the all-American front. This was a prayer for the immediate future as the year 1943 began.

#### CANADA AND THE PAN AMERICAN UNION

Canada is in the enviable position of enjoying the protection of the Monroe Doctrine and the Pan American "system" without having to share reciprocally its responsibilities in any one-for-all-and-all-for-one sense, i.e., she is not pledged to consider an attack on the United States or on a Latin American state as an attack upon herself. It is doubtful whether Canadian public opinion would bring itself to such a commitment, separately from the British Commonwealth of Nations, especially with respect to such a remote country as Chile or Argentina. As far as the United States is concerned, Canada's attitude is demonstrated by her immediate declaration of war on Japan after Pearl Harbor.

The Latin American policy of the United States has not concerned itself with Canada except in a negative way, and this has not been made a matter of public record: opposition to the entrance of Canada into the Pan American Union or the Pan American "system," because the Dominion is a member of another essentially non-American and imperial system, the British Commonwealth of Nations. Prime Minister Mackenzie King may have been deferring to President Roosevelt's thought when he declared at the close of the session of Parliament on August 1, 1942: "During this war there are reasons why the South American Republics and the United States might wish to discuss their economic and other problems without having representation from any member of the British Commonwealth of Nations. This is an aspect of the situation which I mention simply to show that it is not simply a matter of relations between Canada and other countries in this hemisphere."

A twenty-second chair originally was set aside for Canada in the Pan American Union at Washington. Presumably that anticipated the eventual independence of Canada from the British Empire. No invitation has ever been issued to the Canadian Government to send a representative to sit in the still vacant chair, although Canada has had her own legation at Washington since 1927. Canada has participated in a score or so of inter-American conferences of a professional and technical nature (architecture, travel, aeronautics, radio, roads, postal, intellectual cooperation, medicine, etc.). For a list of these see Humphrey, *loc. cit.*, p. 261, n. 7. The Canadian Government on August 22, 1941, informed the Inter-American Labor Organization of its intention to appoint a representative in the inter-American Committee to Promote Social Security. Until very recently, that is, not until the Second World War and all its implications, there has been no indigenous urge in Canada to join the Pan American "system," but in 1941 Professor John P. Humphrey of McGill University strongly advocated it in his book on *The Inter-American System, a Canadian View*, published in Toronto under the auspices of the Canadian Institute of International Affairs. Professor R. G. Trotter, dean of Canadian historical scholars, and devout imperialist and advocate of world collective security, in an article on "Canada and Pan Americanism," *Queen's Quarterly*, XLIX, No. 3 (1942), straightway challenged Mr. Humphrey's view, but prudently did not close the door wholly against entry: "To join the Pan American Union now would strengthen those forces both in this country and across the border that are still hoping and working for continental or hemispheric isolation."

I have not felt called upon in this study to consider Canada as an element in the Latin American policy of the United States except in the negative way explained in this note.

## CHAPTER XXIII

### *Conclusion: An Act of Faith*

FROM the Era of Emancipation to the Second World War, the Latin American policy of the United States has reflected constantly the vital necessities of national security and the idealism of the American people. Of these two elements, national security has always been uppermost. It is natural and understandable that this should be so, for without national security there could be no American idealism, no so-called "American mission."

During the Era of Emancipation the danger to national security existed in the territorial problems of North America, as represented by the questions of Louisiana and Florida, and crystallized in policy in the No-Transfer Resolution of 1811. The idealism of the people during the same period presented itself in a desire to help the Latin American revolutionists despite the restrictions of a weak neutrality. Not until the definitive cession of Florida had secured the Louisiana Purchase could the aspiration of the people be satisfied by the recognition of the independence of the new states. Not until the danger of European intervention to restore Spanish sovereignty seemed exorcised by Great Britain's ultimatum to France (statement of March 31, 1823) could political idealism as well as the dictates of national security be invoked in the Monroe Doctrine. Despite this caution, the United States contributed more to the cause of Latin American independence than any other power, Great Britain included.

Following the Era of Emancipation, the focus of foreign policy, including Latin American policy, remained still fixed principally on North America: pushing the Continental Republic through to the other ocean, then preserving the constitutional union at the cost of a great Civil War, finally securing the naval communications between the Atlantic and Pacific seacoasts. In the achievement of the Manifest Destiny of con-

tinental expansion, the European powers were loosened of their titles by the peaceful process of diplomacy unaccompanied by any threats of force—there was no force with which to threaten!

The Continental Republic took shape in the empty spaces of North America without *willful* \* aggression against any civilized nation or people, and this is said with due cognizance of the circumstances of the War with Mexico of 1846-1848, before which President Polk made honorable if not anxious attempts for peace with Mexico on the line of the Rio Grande River. The very existence of the Continental Republic created a bulwark against imperialism in the Western Hemisphere. It made possible a power capable of protecting the republican New World against the imperialism of the Old in today's great time of trial. Had it not been for the development of the Continental Republic and the preservation of its united nationhood, North America would have been South-Americanized, so to speak, divided up into a number of small and feeble independent states that would be easy prey to any aggression from Europe or Asia.

Those who accept this interpretation might still revolt at the imperialism which the United States itself displayed in the first decades of the twentieth century. Certainly the Latin American republics then became alarmed, and conviction took root among them that the "Colossus of the North" was an imperialistic power bent on devouring the liberties of the New World. The southern neighbors of the Western Hemisphere were led to believe that the Monroe Doctrine was only an instrument to fence off the imperialism of Europe from regions which the United States intended to appropriate for itself.

Then was the heyday of North American imperialism. At first blush it does look as though there were something to the charge of aggression, and many good people in the United States were persuaded that in the past their country had been guilty of a wicked imperialism in the Caribbean and Central America, something that could be summed up in those glitteringly alliterative phrases, Roosevelt Corollary and Dollar Diplomacy.

That the United States has been an imperialistic power since 1898 there is no doubt, although that comparatively mild imperialism was tapered off after 1921 and is fully liquidated now. A careful and con-

\* If some exception be made for the intrigues in West Florida, on the eve of the War of 1812, it must be remembered that they were designed to thwart British or French aggression in that no-man's land of the dissolving Spanish Empire, a region strategically so dangerous to the United States.

scientious appraisal of United States imperialism shows, I am convinced, that it was never deep-rooted in the character of the people, that it was essentially a protective imperialism, designed to protect, first the security of the Continental Republic, next the security of the entire New World, against intervention by the imperialistic powers of the Old World. It was, if you will, an imperialism against imperialism. It did not last long and it was not really bad.

To understand the nature of the temporary phenomenon of United States imperialism from 1898 to 1921, we must step back and fix our historical and diplomatic perspective on the new political constellations that appeared in the international firmament at the end of the nineteenth century to complicate the foreign policy of Great Britain and the United States.

After Waterloo, during the happiest century that mankind has ever known on this planet, the British navy ruled the seas, and Great Britain held the balance of power in the world. As long as this was so, the United States was in a safe, almost a foolproof, position behind the ramparts of the two great oceans and Britain's balance of power in Europe. The British navy was the only force which could really exert a powerful coercive pressure on the United States, and against this power there was always to be balanced the long, weak and undefended flank of empire on the Canadian border. If only because of the position of Canada as a hostage for the benevolent conduct of the British navy, not to mention reasons of a happier nature, the United States was safe even when practically unarmed. North of the border there was no war potential which could effectively threaten and coerce the Continental Republic.

The end of the nineteenth century is notable in the history of international relations for the sudden appearance of three new great powers: the United States, Japan, and Germany. Ordinarily the rise of one new great power is a shock to the international balance; but the simultaneous appearance of three, all on the way to becoming world powers, was a major conjunction the like of which the world had never seen. It meant radical rearrangements of power and diplomacy, particularly on the part of the British Empire. It was also of vast significance for the United States.

Across each ocean, the Atlantic and the Pacific, there had arisen a new naval and military power, which had no hostage of empire exposed to our own force. On the contrary, the United States had acquired, at this very conjunction, territorial possessions on the other side of the

Pacific, subject to easy coercion and threat from one of the new naval powers. Thenceforth it had to consider the possibility of a war in the Pacific with Japan, or a war in the Atlantic with Germany. Few strategists at the turn of the century went so far as to envisage a war with both powers at the same time; the existence of the Anglo-Japanese alliance made it unlikely that Japan would be the ally of Germany; here was at least one advantage of that alliance to the United States, not usually recognized by the historian. The nightmare of a simultaneous two-ocean war had not begun to obsess students of diplomatic history before the First World War. Nevertheless, it was apparent, particularly to men like Captain Mahan, and Theodore Roosevelt, and others of Mahan's disciples among his own countrymen, that to defend the continental homeland and with it the whole national heritage, a large navy was necessary, and that it must be able to fight in either ocean. It was also evident that to use the navy in either ocean there would have to be an Isthmian canal to pass it back and forth.

An Isthmian canal was indeed a substitute for a two-ocean navy, as well as a waterway of vast commercial and economic significance. It would be an indispensable life-line for the future United States, and let it also be said, for the security of the whole New World, against the possibility of war with either one of these two new naval and military powers in Europe and Asia, or both together. When all is said and done, this explains the war with Spain, for which the Cuban question lay so conveniently to hand: to secure control of the Caribbean approaches of the future canal. This, as well as the protection they afforded for naval communications to operations in the Philippines, was also the reason for the sudden annexation of the Hawaiian Islands in the summer of 1898.

On the Isthmian question, on the Panama Canal, was based the strategic imperialism of the first two decades of the twentieth century. Without the existence of the Panama Canal under the unchallengeable control of the United States there would be no strength in the solidarity of the Union of American Republics. It would be a limp and flaccid organization.

We can realize today, amidst the high danger of the Second World War, what it would mean if the United States had never become a Continental Republic and North America had been politically broken up like South America, what it would mean now to have left Spain as a power in the Caribbean, what it would mean had Germany got a lodgment there, as she would have done had it not been for the United

States. Any President who had frustrated the Manifest Destiny of continental expansion, any President who had permitted an intrusion of European power in the Caribbean to neutralize the effectiveness of the Panama Canal, would not have deserved well of his country, indeed would not have deserved well of the New World, or of humanity today.

This picture does not justify the methods by which Theodore Roosevelt "took" the Canal Zone. It was an intervention by force which did a great injustice to a sister republic. It was unnecessary. It profited hugely a private foreign interest that was actively lobbying in Washington, namely the French New Panama Canal Company. An Isthmian canal under United States ownership and control could have been secured, alternately from Nicaragua, or unexceptionably from Colombia, with a little more time and patient diplomacy. It was an act for which reparation has since been paid, and we may hope that the rancor that it caused lies wholly buried today in the grave of the rough-riding statesman who was responsible for it. The canal itself was and is an indispensable necessity to the defense and liberty of the New World as well as of the United States, and to the liberation of the United Nations today.

Once the canal had been decided on as the mainstay for the defense of the United States and of the New World against the imperialist powers of the Old World, whether of Asia or of Europe, it would have been folly for the United States to have tolerated an intervention by one of those powers that would give it a base within striking distance of that naval waterway. The measure of such folly is today multiplied by the development of the submarine and airplane; but it was apparent before the First World War. We now know that Germany was then seeking naval bases in the Caribbean and in Central America, and that she would have taken advantage of the defaults of small states of that region to land forces there, if the United States had tolerated it. Such explains the Venezuela affair: Germany was testing out the United States; and Great Britain was going along with Germany to prevent her getting an exclusive foothold near to British positions.

The interventions of the United States in the Caribbean and in Central America in the pre-Versailles period were not impeccably carried out, but the dominating motive of those interventions and of the "dollar diplomacy" that is usually associated with the interventions was not the exercise of dominion over alien peoples—the hall-mark of imperialism—nor their exploitation by an "economic imperialism"; it was to foster

their political and economic stability so that there could be no justification, or pretext, for European intervention in such a vitally strategic area of the New World. It was also, in the case of Haiti, to protect foreign citizens, including those of the United States, during a complete collapse of law and order there. The diplomatic correspondence barely suggests, moreover, that these interventions took place under the implied mandate of the governments of the very European powers whose professors and publicists held up these actions to Latin American polemicists to inspire and give fuel to a Yankeeophobia and enmity for the United States and the Pan American movement, really in order to weaken the solidarity of the New World against the interventions of the Old.

This Yankeeophobia has now been dissipated. In the interlude of apparent continental security between Versailles and Munich the interventions were liquidated by the Good Neighbor Policy which originated with Secretary of State Charles E. Hughes in 1921, if indeed before him it was not conceived by Woodrow Wilson despite the reluctant interventions of that great noninterventionist. It was President Franklin D. Roosevelt who happily christened the new policy and brought it to full and thriving maturity by 1936.

The Good Neighbor Policy did not spring from any fear of Adolf Hitler, although it is certainly fortunate that it developed before he seized the center of the world stage. It stemmed from two principal causes: (1) the inherent idealism and traditional anti-imperialist sentiment of the people of the United States, who had supported, or at least tolerated, a protective or strategic imperialism only in order to keep away from the United States and the New World a worse imperialism that might threaten the security and liberties of the American republics, (2) the apparent safety of the two oceans that seemed secure after Versailles by the defeat of Germany and by the Washington treaties of 1922 for the settlement of the naval and diplomatic problems of the Pacific and the Far East. Only when the naval defenses of the Continental Republic seemed perfectly secure did the idealism of the American people come to the fore as a controlling influence on policy.

Public opposition to naval appropriations and overseas interventions developed, during the post-Versailles decades, into an anti-imperialist and pacifistic crusade which profoundly affected United States foreign policy. This movement has not yet received sufficient attention from historians, but it is easy to see that among its results were the Washington Conference of 1922, preparation for the evacuation of the Carib-



bean and Central American countries, the Kellogg-Briand Pact of Paris, repudiation of the Roosevelt Corollary to the Monroe Doctrine, disarmament by example, the Good Neighbor Policy, and finally the neutrality legislation of 1935-1937.

When danger of intervention from the Old World seemed after 1922 to have vanished, the republics of the south naturally became more restive against the interventions of the Republic of the North, and eager to do away with them. Dr. Carlos Saavedra Lamas tried to rally the Latin American republics under the banner of nonintervention to make Buenos Aires the diplomatic and cultural entrepôt between the Latin nations of the Old World and the New, and thus to shoulder aside the Pan American movement and the alien Anglo-Saxon Republic of the North, leaving Argentina the leader of the Latin American states. For a while there was some danger that this campaign might succeed, particularly in the years between 1928 and 1933, between the Havana Conference and the Montevideo Conference; but the anti-imperialism of the American people, expressed through the new policies of their Government, under both Republican and Democratic administrations, disarmed the Pan Hispanic movement and saved the cause of Pan Americanism, which has righted itself remarkably since 1936 in face of the common European danger.

Today the gyroscope of Pan Americanism is the Good Neighbor Policy. The fundamentals of that policy are the Doctrine of Nonintervention and the Monroe Doctrine, including the No-Transfer principle. Thus developed and formulated, the Latin American policy of the United States has become identified in our times with the security of the whole Western Hemisphere. It has built up the policy of one for all and all for one which so promptly met its supreme test in the Second World War. It has been further baptized and galvanized by the American mission.

Although national and continental (in the hemispheric sense of the word) security is the real watchword of the Latin American policy of the United States today, there is more to it than that. From the beginning it has had an ideological and missionary background, originally derived from Protestant Christianity, now resting also on the gospel of progress. The political reflection of this was popular sovereignty and republican government as opposed to monarchy and totalitarianism. It has received a missionary impulse to save peoples not only from political tyranny, but also from political instability, from ignorance, from disease, from poverty, all of which the Latin American countries have

possessed in varying measure. In the past missionary endeavor has not served to curb imperialism or political intervention; on the contrary. Today it has inspired the Good Neighbor of the North, working loyally within the diplomatic framework of Pan American collaboration, to fortify the political independence and territorial integrity of the nations of the New World by increasing their economic and sociological *well-being* in order to further a *general advance in civilization*.\*

We must not overlook the very recent tendency to apply Latin American policy to the solution of the whole world's troubles. This is not a reference only to the New Reciprocity with which Secretary of State Cordell Hull so valiantly opposed the forces of the New Mercantilism all over the globe; in this respect Latin American policy was only an area of effort at general international economic amelioration. Practice of the Good Neighbor Policy by the United States in Latin America served as a proving ground for the application of those principles to the Pacific area, Europe and everywhere else, and for a future world order.†

Secretary of State Hull proposed to Japan a settlement based on the principles of "peace, law and order and fair dealing among nations." Reciting these principles from the historic note of November 26, 1941, we recognize them at once as the familiar precepts of inter-American relations: "the principle of inviolability of territorial integrity and sov-

\* The italicized words are not mine. They are utterances of an official spokesman, Assistant Secretary of State A. A. Berle, Jr., "Economic Interests in Inter-American Relations," *op. cit.*

Upon occasion of the visit of President Arroyo del Rio of Ecuador to the White House in November, 1942, President Roosevelt in a press conference compared the economic condition of some of the Latin American republics to that of the southern States of the United States and said that it would be a policy of the United States to raise the level of prosperity in those republics as it had done in its own southern States. *New York Times*, November 25, 1942. The increase in the prosperity of the southern States of the United States, of course, was due primarily to subsidies from the United States Government.

† "From the time [1931] when the first signs of menace to the peace of the world appeared on the horizon, the Government of the United States strove increasingly to promote peace on the solid foundation of law, justice, non-intervention, non-aggression and international collaboration. With growing insistence we advocated the principles of a broad and constructive world order in political, economic, social, moral, and intellectual relations among nations—principles which must constitute the foundation of any satisfactory future world order. We practiced these principles in our good-neighbor policy, which was applicable to every part of the earth and which we sought to apply not only to the Western Hemisphere, but in the Pacific area, in Europe, and everywhere else as well." Radio Address of Secretary of State Cordell Hull, July 23, 1942. Department of State *Bulletin*, III, No. 161 (July 25, 1942), p. 641.

ereignty of each and all nations; the principle of non-interference in the internal affairs of other countries; the principle of equality, including equality of commercial opportunity and treatment; and the principle of reliance upon international cooperation and conciliation for the prevention and pacific settlement of controversies and for improvement of international conditions by peaceful methods and processes." Japan's rejection of these principles is a measure of her imperialism in Asia compared with the policy of the Good Neighbor in the American world.

The same inter-American principles were reflected in the Atlantic Charter of August 14, 1941, and in the agreements that have been built around it as the price of lend-lease aid. Such at least is the official inter-American interpretation of the Charter by the Third Meeting of Foreign Ministers in Rio de Janeiro, who resolved to express to the President of the United States their satisfaction at the inclusion of principles which "constitute a part of the juridical heritage of America in accordance with the Convention on the Rights and Duties of States approved at the Seventh International Conference of American States held at Montevideo in 1933." This resolution, signed without reservation by the representative of the United States, Undersecretary of State Sumner Welles, if not actually proposed by him, suggests very strongly that it is the policy of the United States and the other republics of the New World to make the inter-American system a cornerstone of the future peace structure of the world.\*

As Woodrow Wilson sought to apply the principles of his Latin American policy to the peace settlement at the end of the First World War, so Franklin D. Roosevelt began to invoke the principles of the Good Neighbor Policy to govern the peace settlement that would follow the Second World War. In these larger dimensions the Latin American policy of the United States, with the inter-American system which it supports, is an Act of Faith, faith of the kind that is said to move mountains. On the part of the United States it calls for faith that American distillation of great human and juridical principles and

\* This suggestion was confirmed by Mr. Welles' Memorial Day address at Arlington National Cemetery in 1942:

"In taking thought of our future opportunities we surely must undertake to preserve the advantages we have gained in the past. I cannot believe the peoples of the United States and of the Western Hemisphere will ever relinquish the inter-American system they have built up. Based as it is on sovereign equality, on liberty, on peace, and on joint resistance to aggression, it constitutes the only example in the world today of a regional federation of free and independent peoples. It lightens the darkness of our anarchic world. It should constitute a cornerstone in the world structure of the future." Department of State *Bulletin*, VI, No. 153 (May 30, 1942), 448.

generosity in economic relationships can hold together in a common program twenty-one equal and sovereign but heterogeneous nations, great and small, varied in conditioning geographical and economic backgrounds, so different in race, creed, culture, and power. On the part of the Latin American nations\* it requires faith in the United States, not only in its material and human resources, its pledged word and its infinite great-heartedness and good-will, but faith also in the power, stamina, and competence of its people and government to win their way through in the supreme crisis of the greatest war of history. For the non-American world it requires universal faith in global good neighborhood.

\* In spontaneous words of burning sincerity Ezequiel Padilla, Secretary of Foreign Affairs of Mexico, testified to this faith at an historic moment at Rio de Janeiro in January, 1942: "How must we regard the United States?" he asked his fellow-ministers. "A nation with the highest living standards of all, a country whose people enjoy every comfort and convenience, how can we rightly estimate its action, as we see it cast into that fiery furnace the fantastic figure of its accumulated wealth, and divert into it the whole mighty stream of its prosperity, without thought of danger or of economy, to defend the heritage of its freedom and the untrammelled destinies of our continent? The answer may only be sought in the spirit of self-sacrifice shown by that nation in behalf of the loftiest incentives to the onward march of peoples!"



# NOTES

## CHAPTER I

1. Aside from the observations of travel, this chapter rests for its facts on the following standard authorities on geography: Pierre Denis, *Amerique du Sud*, Vol. XV, 1927, and Maximilien Sorre, *Mexique et Amérique Centrale*, Vol. XIV, 1928, of the series *Géographie universelle*, edited by Paul Vidal de la Blache and Lucien Gallois, Paris; Edward William Shanahan, *South America, an Economic and Regional Geography with an Historical Chapter*, New York, 1927; Ray Hughes Whitbeck, *Economic Geography of South America*, New York, 1926; Fred A. Carlson, *Geography of Latin America*, New York, 1936; Clarence F. Jones, *South America*, New York, 1930. The Report of the Study Group of Members of the Royal Institute of International Affairs, *The Republics of South America*, London and New York, 1937, has chapters which have digested these works. See also Nicholas J. Spykman, "Geography and Foreign Policy," *American Political Science Review*, XXXII (February, April, 1938), 27-50, 213-56; and "Geographic Objectives in Foreign Policy," XXXIV (June, August, 1939), 391-410, 591-614. This study summarizes and embellishes the thought of the recent school of *Geopolitik*, notably the German (Otto Maull, Richard Hennig), French (Lucien Febvre, and Vidal de la Blache), and English (H. J. Mackinder, D. H. Cole). Professor Spykman has applied geopolitics to *America's Strategy in World Politics, the United States and the Balance of Power*, Yale Institute of International Studies, 1942. Recent American contributions to political geography are Samuel Van Valkenburg, *Elements of Political Geography*, New York, 1939, Derwent Whittelsey, *The Earth and the State*, New York, 1939. The most recent and in some ways the best geographical approach to the understanding of Latin America is Preston A. James, *Latin America*, New York, 1942.
2. See *Principles of Human Geography*, New York, 1940, and other works by Ellsworth Huntington, notably *The Character of Races as Influenced by Physical Environment, Natural Selection and Historical Development*, New York, 1924, and *Season of Birth*, New York, 1938.
3. A. Grenfell Price, *White Settlers in the Tropics*, Am. Geographical Society, New York, 1939.
4. Scientific opinion is skeptical as to the likelihood of persistence of white indigenous population in moist tropical regions. Again see Ellsworth Huntington, "The Adaptability of the White Man to Tropical America," *Journal of Race Development*, V (October, 1914), 185-211.
5. For rainfall in the two continents, and maps, see Robert C. de Ware and Charles F. Brooks, *The Climates of North America*, in *Handbuch der Klimatologie*, Band II, Teil J, Berlin, 1936, pp. J137-67; and K. Knoch, *Klimatologie von Südamerika*, *ibid.*, Band II, Teil J, Berlin, 1930, pp. G68-95.
6. See Behrendt's tabulations at end of Chapter I.

7. Preston A. James so defines the central theme in his *Latin America*, New York, 1942.
8. John Lloyd Mechem, *Church and State in Latin America*, University of North Carolina Press, 1934, pp. 23-45.

## CHAPTER II

1. See for example, Timothy Pickering, Secretary of State, to Rufus King, Minister to England, February 15, 1797, National Archives, Department of State Records, *Instructions*, IV, 7.
2. Herminio Portell Vilá, *Historia de Cuba en sus relaciones con los Estados Unidos y España*, Habana, 1938-1941, I, 165; Bernard Mayo, *Henry Clay, Spokesman of the New West*, Boston, 1937, p. 372. See also Onís to Pezuela, October 26, 1812, *Archivo Histórico Nacional* [Madrid], *Estado*, legajo 5638 (Library of Congress facsimiles).
3. Charles Carroll Griffin, *The United States and the Disruption of the Spanish Empire, 1810-1822, a Study of the Relations of the United States with Spain and with the Rebel Spanish Colonies*, Columbia University Press, 1937, p. 47.
4. Arthur P. Whitaker stresses this point in the most recent, and best, account of *The United States and the Independence of Latin America, 1800-1830*, Johns Hopkins Press, 1941.
5. Roy F. Nichols has described the activity of these consuls, and agents, particularly in Cuba, in "Trade Relations and the Establishment of United States Consulates in Spanish America, 1779-1809," *Hisp. Am. Hist. Rev.*, XIII (August, 1933), 289-313.
6. Jefferson to the Prince Regent of Portugal, Washington, May 5, 1808. *The Writings of Thomas Jefferson*, Memorial ed., Washington, 1903, XII, 49-50.
7. Lawrence F. Hill has written the standard general account of *Diplomatic Relations between the United States and Brazil*, Duke University Press, 1932.
8. "I have entitled England to establish with the Brazils the Relation of Sovereign and subject and to require Obedience to be paid as the price of Protection." So wrote to London the youthful British Minister at Rio de Janeiro, Lord Strangford, savior of the Portuguese court from the hands of Napoleon. Quoted by Enrique Ruiz-Guiñazú, *Lord Strangford y la Revolución de Mayo*, Buenos Aires, 1937, p. 58.
9. *Writings of Thomas Jefferson*, *op. cit.* I, 484-85.
10. *Ibid.*, XII, 187.
11. *Ibid.*, XII, 274.
12. The Act of April 14, 1812, extended the limits of the State of Louisiana eastward to the Pearl River. The Act of May 14, 1812, incorporated the territory between the Pearl and Perdido Rivers into Mississippi Territory.
13. During the Peninsular War the United States observed strict neutrality between the opposing Spanish factions and did not receive the plenipotentiary of the nationalists pending the outcome of the conflict.
14. *American State Papers, Foreign Relations*, Washington, 1832, III, 395 *et seq.*
15. Italics inserted. The preamble in the House resolution, amended by the Senate, had originally a wider purview: "Taking into view the present state of the world, the peculiar situation of Spain and the American provinces, and the intimate relation of the territory eastward of the river Perdido, adjoining the United States, to their security and tranquillity: Therefore, . . ." Whether intentional or not, the effect of the Senate amendment was to restrict the final

resolution more closely to the border provinces of Spain, without any implication of wider world outlook or suggestion of severed Spanish sovereignty.

16. *Annals of Congress*, 11th Congress, 3d Session, 1810-1811, Col. 374, 375, 376.
17. Dexter Perkins, *The Monroe Doctrine, 1867-1907*, Johns Hopkins Press, 1937, p. 26.

## CHAPTER III

1. Whitaker, *op. cit.*, pp. 39-60.
2. Notably, Pratt, *op. cit.* In an able work on *The United States, Great Britain, and British North America*, Yale University Press, 1940, A. L. Burt has qualified Pratt's thesis. Although he has introduced some corrective emphasis, I would not agree that he has exploded the theory that the expansionists of 1812 were a precipitating factor in the War of 1812. See my review in *Journal of Modern History*, XIII (June, 1941), 245-47.
3. That the Floridas particularly were a paramount consideration in moulding the benevolent policy of the United States toward the revolutions in Spanish America appears clearly in the confidential instructions to those special agents, particularly when read together with contemporaneous instructions to the United States Minister in London. W. R. Manning, *Diplomatic Correspondence of the United States Concerning the Independence of the Latin American Nations*, Carnegie Endowment for International Peace, New York, 1925, I, 5-15.
4. See records of Bureau of Appointments in Department of State Records, National Archives. In Buenos Aires, Thomas Halsey continued to serve under his old consular commission of 1812 until recalled, in January, 1818, at the request of the local government there. In Cartagena there had been no consul before the appointment of a "special agent" there in 1818.
5. Whitaker, *op. cit.*, 197, citing Adams, *Memoirs*, V, 46, who noted, five years later, that it had never been paid for.
6. C. K. Webster, *The Foreign Policy of Castlereagh, 1815-1822*, London, 1925; and his *Britain and the Independence of Latin America*, Ibero-American Institute of Great Britain, 2 Vols., London, 1938, I, 12-17, 26-34, *et passim*.
7. Philip Coolidge Brooks has written an authoritative history of the negotiation of this treaty, from multi-archival sources, in his *Diplomacy and the Borderlands, the Adams-Onís Treaty of 1819*, University of California Press, 1939.
8. See the notable passages, written with pardonable pride and exultation, in *Memoirs of John Quincy Adams*, ed. by C. F. Adams, 12 vols., Philadelphia, 1874-1877, IV, 275, and V, 67-69.
9. See copy of opinion of the *Junta de Fortificaciones y Defensa de Indias*, Madrid, March 17, 1804, in *Archivo General de la Nación* (Mexico), series *Provincias Internas*, Vol. 200, and also the opinion of Principe de la Paz, Madrid, April 6, 1804, enclosed therewith. The Wilkinson-Herrera "neutral ground" military agreement of 1806 had conformed almost perfectly to this official Spanish boundary contention.
10. Edward Howland Tatum has pointed out usefully this indigenous basis in *The United States and Europe, 1815-1823*, University of California Press, 1936.
11. *Annals of Congress*, 15th Cong. 1st Sess. (1818), II, Col. 1482.
12. *Ibid.*, Cols. 1614-15.
13. See Miller, *Treaties*, III, 42-53, and map.
14. Adams, *Memoirs*, V, 86. May 1, 1820.
15. *Annals of Congress*, 16th Cong. 2d Sess., 1820-1821, Cols. 1081-1092. Italics inserted.



16. This is taken from Adams's own account of the conversation (changed into direct discourse), *Memoirs*, V, 324-25, not being able to check with Clay's version. Historians have come to have a high respect for the literal accuracy of Adams's record of such interviews, because of instances in which they can be checked by other diaries.
17. Theodore S. Currier, *Los corsarios del Río de la Plata*, Publicaciones del Instituto de Investigaciones Históricas, No. XLV, Facultad de Filosofía y Letras, Buenos Aires, 1929; Lewis Winkler Bealer, *Los corsarios de Buenos Aires*, *Ibid.*, No. LXXII, Buenos Aires, 1937; Charles C. Griffin, "Privateering from Baltimore during the Spanish American Wars of Independence," *Maryland Historical Magazine*, XXXV (March, 1940), 1-25.
18. Forty-five men were convicted of piracy, "all cases of privateers under the South American colors." The Cabinet, after discussion, decided ten must be executed and the others reprieved. Adams, *Memoirs*, V, 19-21, 55-56, 63-66.

## CHAPTER IV

1. E.g., Camilo Barcia Trelles, *Doctrina de Monroe y Cooperación internacional*, Madrid, 1931.
2. Dexter Perkins, "John Quincy Adams," in *American Secretaries of State and Their Diplomacy*, New York, 1928, IV, 96.
3. Harold Temperley, *The Foreign Policy of Canning, 1822-1827*, London, 1925, p. 85.
4. Webster, *Castlereagh, 1815-1822*, p. 214.
5. Professor W. S. Robertson examines French designs in great detail in his study of *France and Latin-American Independence*, Johns Hopkins Press, 1939.
6. Webster, *Britain and the Independence of Latin America*, II, 111-12.
7. "Canning had to win diplomatic prestige over Spanish America as a set-off to his diplomatic defeat in Europe." Temperley, *Canning*, p. 103.
8. Adams, *Memoirs*, VI, 163, July 17, 1823.
9. To Henry Middleton, Department of State, Washington, July 5, 1820. *Writings of John Quincy Adams*, W. C. Ford, ed., Vol. VI, 46-52.
10. Adams, *Memoirs*, VI, 152-54, June 20, 1823.
11. Richard Rush, *Memoranda of a Residence at the Court of London*, Philadelphia, 1845, pp. 399-403. W. C. Ford printed Rush's correspondence on Canning's overture, together with some papers from the Adams family archives, hitherto unprinted, in his articles, *loc. cit.* I have put the conversation into direct discourse observing its literal content if not its entire phraseology, which varies slightly but not materially in Rush's different versions.
12. Canning to Rush, Private and Confidential, Foreign Office, August 20, 1823. Printed by W. C. Ford, "Some Original Documents on the Genesis of the Monroe Doctrine," *Proceedings Mass. Hist. Soc.*, 2d Series, XV (Jan., 1902), pp. 415-16, reprinted separately, Cambridge, 1902, and in *Am. Hist. Rev.*, VII (July, 1902), 676-96, VIII (Oct., 1902).
13. Canning did not disclose the origin or nature of this "notice." Perkins, *The Monroe Doctrine 1823-1826*, p. 65, reveals that the information came from the British Ambassador in Paris.
14. J. H. Powell, *Richard Rush, Republican Diplomat, 1780-1859*, University of Pennsylvania Press, 1942, p. 160. This biography adds a few new interesting details to previous accounts of the Rush-Canning conversations, but informs us

that the great mass of Rush's papers, now owned by descendants, is still not available to historical scholars.

15. Richard Rush to President Monroe, London, September 15, 1823. Ford, *Proc. Mass. Hist. Soc.*, *loc. cit.*, p. 421.
16. Perkins, *Monroe Doctrine, 1823-1826*, p. 118, citing *British and Foreign State Papers, 1823-1824*, XI, London, 1843, 49-54. The officially published version was a summary of the conversations. Temperley published the whole record for the first time in *The Cambridge History of British Foreign Policy*, London, 1922-1923, II, 633-37, and gives an analytic summary of the full conversations in his *Canning*, pp. 115-17. From this it appears that Canning told Polignac "that he could not understand how a *European* Congress could discuss Spanish American affairs without calling to their Counsels a Power so eminently interested as the United States of *America*, while Austria, Russia, and Prussia, Powers, so much less concerned in the subject, were in consultation upon it." The suggestion was made with the view of obstructing the assembly of such a Congress. Canning knew from his archives that the United States had declared that it would never attend such a Congress unless the Latin American states were represented there as independent nations. C. K. Webster, *Britain and the Independence of Latin America*, I, 21.
17. Communicated October 16, 1823. Ford, *Proc. Mass. Hist. Soc.*, *loc. cit.*, p. 400.

#### CHAPTER V

1. Italics inserted.
2. Jefferson to Monroe, Monticello, October 24, 1823, *The Writings of James Monroe*, S. M. Hamilton, editor, New York, 1898-1902, VI, 391-92.
3. *Ibid.*, VI, 394. I have italicized the four words because they sound so strange in a statesman of that time.
4. Adams, *Memoirs*, VI, 177-206.
5. Perkins, "John Quincy Adams," in *Am. Secretaries of State and Their Diplomacy*, IV, 69.
6. Camilo Barcía Trelles, *op. cit.*, p. 126.
7. Adams, *Memoirs*, VI, 177, November 7, 1823.
8. Adams to Hugh Nelson, United States Minister to Spain, April 28, 1823, quoted by W. C. Ford, from Adams MSS., in *Am. Hist. Rev.*, VII, 680. Adams to Thomas Randall, Special Agent of the United States in Cuba, Washington, April 29, 1823, Manning, I, 185.
9. Perkins, *Monroe Doctrine, 1823-1826*, p. 62.
10. Adams, *Memoirs*, VI, 178-79, November 7, 1823.
11. *Ibid.*, pp. 194-95, November 21, 1823.
12. From the original manuscript copy in the Senate archives.
13. These italics inserted.
14. W. C. Ford, *Proc. Mass. Hist. Soc.*, *loc. cit.*, pp. 405-08.
15. Adams's adequate grasp of the significance of these territorial questions is shown by a record in his *Memoirs* (IV, 438-39) of a Cabinet meeting of November 16, 1819.
16. Manning, *op. cit.*, I, 210-12.
17. Manning, *op. cit.*, I, 215.
18. Perkins, *Monroe Doctrine, 1823-1826*, p. 169.
19. "It is impossible to accept the view that these repeated solicitations were merely sounding. There can be no question but that Canning made a direct offer and

- earnestly pressed it." Webster, *Britain and the Independence of Latin America*, I, 46.
20. It was one of the first state papers to be reproduced by the new process. *Ibid.*, I, 23.
  21. "There can be no doubt that in this exchange of views Canning suffered a severe diplomatic defeat." *Ibid.*, I, 49.
  22. Temperley, *Canning*, p. 130.
  23. *Ibid.*, p. 156.
  24. W. S. Robertson, "South America and the Monroe Doctrine, 1824-1828," *Political Science Quarterly*, XXX (March, 1915), 82-105, and *Hispanic-American Relations*. Lockey, *Pan-Americanism*, p. 261, concludes that the Doctrine elicited "no more than moderate enthusiasm," except in the case of Chile.
  25. J. B. Lockey, *Pan-Americanism; Its Beginnings*, New York, 1920, pp. 312-54.
  26. José María Salazar, Colombian Minister to the United States, to John Quincy Adams, Secretary of State of the United States, Washington, July 2, 1824. Manning, II, 1281-82.
  27. John Quincy Adams, Secretary of State, to José María Salazar, Colombian Minister to the United States, Washington, August 6, 1824. *Ibid.*, I, 224-26.
  28. See J. Fred Rippy, *Rivalry of the United States and Great Britain Over Latin America (1808-1830)*, Johns Hopkins Press, 1929.
  29. Henry Clay, Secretary of State, to John M. Forbes, United States *Chargé d'affaires* at Buenos Aires, Washington, January 3, 1828. Manning, *op. cit.*, I, 292.
  30. George Canning to H. G. Ward, British Minister to Mexico, No. 11, September 9, 1825. Webster, *ibid.*, I, 478.
  31. December 4, 1823. W. C. Ford, *Proc. Mass. Hist. Soc.*, p. 410.
  32. *Britain and the Independence of Latin America*, I, 63.

## CHAPTER VI

1. Julius W. Pratt, "John L. O'Sullivan and Manifest Destiny," *New York History*, XIV (July, 1933), 213-34.
2. In a faculty research lecture at the University of California at Los Angeles, the late John Carl Parish traced back to colonial times *The Emergence of the Idea of Manifest Destiny*, University of California Press, 1932.
3. Lansing Bloom has estimated the population of New Mexico, on the basis of available evidence, in "The People of New Mexico in 1822," *Old Santa Fe*, I (July, 1913), 23-30.
4. W. R. Manning has traced these negotiations in detail from Mexican and United States archives in *Early Diplomatic Relations between the United States and Mexico*, Johns Hopkins Press, 1916.
5. Eugene C. Barker has analysed the elements of discord in his authoritative lectures, *Mexico and Texas, 1821-1835*, Dallas, 1928.
6. Professor Barker has dealt critically with "President Jackson and the Texas Revolution" in *Am. Hist. Rev.*, XII (July, 1907), 788-809. For a more cynical examination of the evidence, see R. R. Stenberg, "The Texas Schemes of Jackson and Houston, 1829-1836," *Southwestern Social Science Quarterly*, XV (December, 1934), 229-50.
7. Some writers have criticized President Jackson for stationing a regiment of troops under General Gaines on the frontier within the disputed territory during the Texas war, but it is difficult to censure seriously this prudent precaution.
8. Wharton to Rusk, Despatch No. 9 undated, but written between February 13 and

- 20, 1837. George P. Garrison, ed., *Diplomatic Correspondence of the Republic of Texas*, I, 193-94, American Historical Association, *Annual Report*, 1907, 1908, 3 vols., Washington, 1908-1911.
9. Justin H. Smith, *The Annexation of Texas* (N. Y., 1911), 60-61, goes so far as to intimate that Jackson feared a transfer of Texas to British sovereignty.
10. The United States, with its memory of impressments, had denied the right of visit and search of ships of its flag in time of peace, and in negotiations with Great Britain over suppression of the slave trade had consistently refused to agree to such a mutual right.
11. See *Texan Diplomatic Correspondence*, *op. cit.*, II, 277.
12. William C. Binkley has given a detailed account of *The Expansionist Movement in Texas, 1836-1850*, University of California Press, 1925.
13. Randolph G. Adams, "Abel Parker Upshur," in *American Secretaries of State*, V, 99.
14. Smith, *op. cit.*, p. 171.
15. The protocol further provided that boundaries and other conditions were to be arranged in a final treaty of peace, and stated that "Texas will be willing to remit disputed points respecting territory and other matters to the arbitration of umpires." George L. Rives, *The United States and Mexico, 1821-1848*, 2 vols., New York, 1913, I, 703-20, gives the details of the European mediation.
16. Mary K. Chase, *Négociations de la République du Texas en Europe, 1837-1845*, Paris, 1932; Antonio de la Peña y Reyes, ed., *Lord Aberdeen, Texas y California*, in *Archivo Histórico Diplomático Mexicano*, Vol. XV, Mexico, 1925.
17. Justin H. Smith, *The War with Mexico*, 2 vols., New York, 1919, I, 84. Almonte, the Minister at Washington, made a similar statement.
18. Buchanan to Larkin, October 17, 1845, cited by R. W. Kelsey, *post cit.*, p. 101.
19. "The 'balance of power' cannot be permitted to have any application to the North American continent and especially to the United States." Annual Message of President Polk to Congress, December 2, 1845.
20. Rayner W. Kelsey published Secretary Buchanan's secret instructions to Consul Thomas O. Larkin in Monterey, California, to encourage secessionists there to resist any overtures of Great Britain or France and promise to them admission into the United States as soon as they should establish their independence. See "The United States Consulate in California," in *Academy of Pacific Coast History, Publications*, Vol. I, No. 5 (June, 1910). At the same time Colonel Frémont was on an exploring expedition in California. He received despatches at the hands of the same messenger who carried the instructions to Larkin, but the precise nature of these has never been discovered. Anticipating war in 1846, Frémont provoked hostilities between settlers from the United States and the small Mexican garrison at Sonoma (the "Bear Flag Revolt"), and thus spoiled Larkin's plans to annex the territory peacefully.
21. *The Works of James Buchanan* (Secretary of State under Polk), John Bassett Moore, ed., 12 vols., Philadelphia, 1908-1911, VI, 305. The President told his Cabinet he would be ready to pay up to \$40,000,000 if it could not be had for less. *The Diary of James K. Polk*, Milo M. Quaife, ed., 4 vols., Chicago, 1910, I, 35.
22. Alberto M. Carreño, *Mexico y los Estados Unidos de América*, Mexico, D.F., 1922, makes much of this perfectly sound technicality.
23. Smith, *The War with Mexico*, I, 102-16.
24. John F. Cady has described the complications of *Foreign Intervention in the Rio de la Plata, 1838-1850: a Study of French, British, and American Policy in*

*Relation to the Dictator Juan Manuel Rosas*, University of Pennsylvania Press, 1929.

25. Frederick Merk, "The Oregon Pioneers and the Boundary," *Am. Hist. Rev.*, XXIX (July, 1924), 681-99.
26. \$15,000,000 in cash; the remainder in assumed claims.
27. Article VI. Trist had been instructed to get the territory for the route but failed. Miller, *Treaties*, III, 216, 269-70.
28. The Gadsden Treaty provided an unimpeded transit across the Isthmus of Tehuantepec for the Government and citizens of the United States, for mails, goods, passengers, and particularly "the prompt transit of troops and munitions of the United States, which that Government may have occasion to send from one part of its territory to another, lying on opposite sides of the continent." This article (VIII) expressly provided that the United States might extend its protection to the transit "work" as it should "judge wise." This was a strong article, resembling the Bidlack Treaty with New Granada of 1846, with the important exception that the protection was optional rather than guaranteed. The Clayton-Bulwer Treaty could not stand in the way of this because the Isthmus of Tehuantepec is in Mexico, not Central America. This route seemed to promise an even quicker rail-and-water communication between the Atlantic and Pacific coasts of the United States, but Mexico never completed the "authorized" road in time to compete with the Panama Railroad (built by an American company, 1850-1855). After the building of a transcontinental railroad in the United States most people forgot about this servitude that the Gadsden Treaty had secured from Mexico. It remained in effect until 1937. In its day it seemed important.

The British Minister in Mexico did his best to block ratification of the treaty. Paul Neff Garber has given a full and authoritative account of the negotiation and significance of *The Gadsden Treaty*, University of Pennsylvania Press, 1923.

29. Italics inserted. Miller, *Ibid.*, p. 231.
30. During the negotiations preceding the treaty of 1853, Gadsden tried to include much more territory than the Gila Valley. See Garber, *op. cit.*
31. Ollinger Crenshaw has depicted, as a provocative symbol of slavery expansion and annexation, "The Knights of the Golden Circle," in *Am. Hist. Rev.*, XLVII (1941), 25-50.
32. Portell Vilá, *Historia*, *op. cit.*, II, 171.
33. "We aim not at the possession of any portion of them [the Spanish colonies] for ourselves."
34. Moore, *Digest of International Law*, VI, 460-71.
35. This "Manifesto" indicates the secret slavery motives of the Neo-Democrats rather than the policy of the United States Government. In 1853 the new Administration sent as Minister to Spain, Pierre Soulé, in a mission to buy Cuba for as high as \$130,000,000; if Spain refused to sell, then Soulé was to direct his efforts to the "next most desirable object," which was "to detach that island from the Spanish dominion and from all dependence on any European power." After the failure of his mission in Spain, in which he conducted himself most truculently and disgracefully, Soulé met with his colleagues, John Y. Mason of Virginia, Minister to France, and James Buchanan of Pennsylvania, Minister to Great Britain, and formerly Secretary of State under Polk, to canvass the Cuban question. The result was the so-called Ostend Manifesto, a memorandum drawn up at the spa of Aix-la-Chapelle in Rhenish Prussia by Buchanan and signed by Mason and Soulé. It declared that if Spain would not sell Cuba then

it might be considered whether it would be expedient for the United States to take it by force:

(1) The United States ought to try to buy Cuba, for not over \$120,000,000.

(2) "Our past history forbids that we should acquire the Island of Cuba without the consent of Spain, unless justified by the great law of self-preservation. . . . After we shall have offered Spain a price for Cuba, far beyond its present value, and this shall have been refused, *it will then be time to consider* the question, does Cuba, in the possession of Spain seriously endanger our internal peace and the existence of our cherished Union. Should this question be answered in the affirmative, then, by every law human and Divine, we shall be justified in wresting it from Spain, if we possess the power; and this upon the very same principle that would justify an individual in tearing down the burning house of his neighbor, if there were no other means of preventing the flames from destroying his own home. Under such circumstances, we ought neither to count the cost, nor regard the odds which Spain might enlist against us."

So shocked was public opinion abroad and at home that the Administration which sponsored the meeting felt obliged to repudiate the document. Even if it had supported this unblushing program of slavery it would never have had the support of the nation, so great was the anti-slavery opposition.

For fuller treatment of this *démarche*, and references to relevant literature, including Amos A. Ettinger's important study, *The Mission to Spain of Pierre Soulé, 1853-1855, a Study in the Cuban Diplomacy of the United States*, Yale University Press, 1932, and for the diplomacy of the slavery expansionists, see my *Diplomatic History of the United States*.

## CHAPTER VII

1. Professor Dexter Perkins has traced the evolution of the Monroe Doctrine in his careful studies. All through this chapter I have relied heavily on his second and third volumes: *The Monroe Doctrine, 1826-1867*, Johns Hopkins Press, 1933, and *The Monroe Doctrine, 1867-1907*, Johns Hopkins Press, 1937. For origin of the phrase Monroe Doctrine, see *Monroe Doctrine, 1826-1867*, p. 223.
2. Professor Julius Goebel, Jr., after his exhaustive and authoritative review of the merits of the Spanish (and inherited Argentine) claims to sovereignty in the Falklands as compared with the British, in *The Struggle for the Falkland Islands, a Study in Legal and Diplomatic History*, Yale University Press, 1927, concludes (p. 468) that "there is a certain futility in interposing the lean and ascetic visage of the law in a situation which first and last is merely a question of power."
3. This French action did evoke a resolution of the House of Representatives, February 11, 1839, requesting information from the President, but British mediation had cleared up the questions before the President's documents were laid before the House. This resolution is the only significant reference to the Monroe Doctrine by any branch of the United States Government between 1826 and 1841. Perkins, *Monroe Doctrine, 1826-1867*, pp. 42-43.
4. Alvear to Arana, Washington, August 13, December 11, 1845, May 20, June 5, June 14, September 14, 1846, *Archivo General de la Nación* (Buenos Aires), Sr-A1, No. 5. Dr. Tom B. Davis, Jr., called my attention to these despatches in photocopies that I had made in Buenos Aires for the Library of Congress.

See Tom B. Davis's *Diplomatic Career of Carlos de Alvear*, Yale University thesis, unprinted, 1939.

5. Pakenham to Aberdeen, October 13, 1845, cited by Cady, *op. cit.*, p. 184, who notes that this promise was conditioned on the pacific purpose of the Allies' efforts. This interview occurred just at the time when Buchanan had been preparing the instructions to Slidell for his mission to Mexico.
6. Cady, *op. cit.*, p. 187.
7. Perkins, *op. cit.*, p. 71.
8. Mary W. Williams has given a succinct history of these developments, based on the records of the British Colonial Office, in her *Anglo-American Isthmian Diplomacy, 1815-1915*, Washington, 1916, pp. 26-37.
9. John Forsyth, President Andrew Jackson's Secretary of State at this time, had participated as a member of Congress in the debates over the mission to the Panama Congress in 1826, on which occasion he had declared that the Monroe Doctrine was "based upon assertions of fact, which I trust we shall never be called upon to establish, and of principles that are fallacious." Perkins, *op. cit.*, p. 14. It was not strange that the British Minister at Washington "had no difficulty in convincing Mr. Forsyth that the United States could not possibly listen to any such proposal from Colonel Galindo [the Guatemalan agent]." Williams, *op. cit.*, p. 34.
10. The British Government yielded finally to the protests of Ecuador, New Granada, Peru, Chile, and Buenos Aires, and to a stream of memorials from firms trading to South America pointing out that if the expedition were not stopped the results would be fatal for British commercial interests and influence. Late in November, 1846, British authorities seized the suspected ships and the expedition melted away. The belated break-up of the expedition was not known in Bogotá until many weeks later, after the Bidlack Treaty with the United States had been signed. See J. B. Lockey, "A Neglected Aspect of Isthmian Diplomacy," *Am. Hist. Rev.*, XLI (January, 1936), 295-305.
11. Raimundo Rivas has exposed, from Colombian archives, the motives for this treaty, in his *Relaciones internacionales entre Colombia y los Estados Unidos, 1810-1850*, Bogotá, 1915. See also Perkins, *op. cit.*, and E. T. Taylor Parks, *Colombia and the United States, 1765-1934*, Duke University Press, 1935.
12. "As to the Question of the Isthmus, I considered it dangerous 'to let the Golden Moment pass.'" Bidlack to Buchanan, Bogotá, December 14, 1846. Miller, *Treaties*, V, 154.
13. *Ibid.*, p. 140. Italics inserted.
14. "The importance of this [Isthmian] concession to the commercial and political interests of the United States cannot easily be overrated. The route by the Isthmus of Panama is the shortest between the two oceans, and from the information herewith communicated it would seem to be the most practicable for a railroad or canal.  

"The vast advantages to our commerce which would result from such a communication, not only with the west coast of America, but with Asia and the islands of the Pacific, are too obvious to require any detail. Such a passage would relieve us from a long and dangerous navigation of more than 9,000 miles around Cape Horn and render our communication with our possessions on the northwest coast of America comparatively easy and speedy." Message of President Polk to the Senate, February 10, 1847.
15. See Hunter Miller's commentary, in his *Treaties*, V, 681-704.
16. Perkins, *op. cit.*, pp. 104-08.

17. Moore, *Digest of International Law*, III, 162.
18. Perkins, *op. cit.*, p. 208.
19. Sumner Welles, *Naboth's Vineyard, the Dominican Republic, 1844-1924*, 2 vols., New York, 1928, Charles C. Tansill, *The United States and Santo Domingo, 1798-1873*, Johns Hopkins Press, 1938, and Rayford W. Logan, *The Diplomatic Relations of the United States with Haiti, 1776-1891*, University of North Carolina Press, 1941, give detailed narratives of the confusion of events and diplomacy in Hispaniola. Haiti was definitively recognized as an independent state by the United States in 1862, a step urged by Charles Sumner as a counterpoise (among other reasons) to the Spanish annexation and a "friendly demonstration . . . more effective than any declaration of the Monroe Doctrine." Ludwell Lee Montague, *Haiti and the United States, 1714-1938*, Duke University Press, 1940, p. 86 *et passim*.
20. Seward to Tassara, April 2, 1861. Moore, *Digest of International Law*, VI, 515. Seward did not invoke the Monroe Doctrine by name, although he braced his protest with its principles. The protests forthcoming from the United States Legation at Madrid, approved by Seward, invoked the Doctrine specifically and at length. Perkins, *op. cit.*, 290-99, has printed these interesting documents. In 1865 Seward twice took occasion to warn Great Britain that the United States did not care to see her acquire territory in Haiti. Logan, *op. cit.*, pp. 293-303, 317-22.
21. David G. Yuenling, ed. of *Highlights in the Debates in the Spanish Chamber of Deputies Relative to the Abandonment of Santo Domingo*, Washington, D. C., 1941, pp. 50, 72, 74, 113.
22. W. S. Robertson has presented the history and significance of "The Tripartite Treaty of London," in *Hisp. Am. Hist. Rev.*, XX (May, 1940), 167-89. These did not include the notorious Jecker claims which France later foisted onto Mexico after the French occupation.
23. Perkins, *Monroe Doctrine, 1867-1907*, p. 2.
24. Moore, *Digest of International Law*, VI, 501-08, prints the diplomatic notes.
25. Perkins, *Monroe Doctrine, 1867-1907*, pp. 301-02.
26. Lindley Miller Keasbey's book, *The Nicaragua Canal and the Monroe Doctrine*, New York, 1896, was a most forceful expression of this opinion.
27. Reinhard H. Luthin has summarized the history of "St. Bartholomew: Sweden's Colonial and Diplomatic Adventure in the Caribbean," in *Hisp. Am. Hist. Rev.*, XIV (April, 1934), 307-24.
28. Such an authoritative documentary exegesis of the Monroe Doctrine as J. B. Moore's *Digest of International Law* does not mention the transfer of St. Bartholomew.
29. Charles C. Tansill, *The Foreign Policy of Thomas F. Bayard, 1885-1897*, Fordham University Press, 1940.
30. Professor Tansill does not overlook this. *Op. cit.*, pp. 710-13. See N. M. Blake's appraisal of the same factor in his analysis of the "Background of Cleveland's Venezuelan Policy," *Am. Hist. Rev.*, XLVII (January, 1942), 259-78.
31. Grover Cleveland, *Presidential Problems*, New York, 1904. See also his long letter of December 29, 1895, to Thomas F. Bayard, Ambassador to Great Britain and Cleveland's Secretary of State in his first administration, printed by Allan Nevins in *Letters of Grover Cleveland, 1850-1908*, New York, 1933, pp. 417-20. Bayard was very squeamish about the issue and allowed himself to be drawn into dilatory informal discussions with the go-betweens in London instead of standing up to Salisbury resolutely. Tansill, *op. cit.*, defends Bayard's attitude.



32. Robert M. McElroy, *Grover Cleveland, the Man and the Statesman, an Authorized Biography*, New York, 1923, II, 178.
33. Moore, *Digest of International Law*, VI, 535-58.
34. "I express to you my sincere congratulations that without appealing to the help of friendly powers you and your people have succeeded in repelling with your own forces the armed bands which had broken into your country [Jameson's raid] and maintaining the independence of your country against foreign aggression."
35. George H. Young, "Intervention under the Monroe Doctrine: the Olney Corollary," *Political Science Quarterly*, LVII, No. 2 (June, 1942), 247-80.

## CHAPTER VIII

1. It is not a coincidence that there occurred during the same decade: the end of the frontier, the first International American (Pan American) Conference (1889-1890), the launching of the first armored battleship, the *Maine* (1890), and the establishment of the first United States embassies in Europe (1893).
2. George T. Davis, *A Navy Second to None*, Yale Institute of International Studies, 1940, pp. 31-33, 67-80.
3. A. Whitney Griswold has criticized Mahan's teachings, in the light of United States history and changing world conditions, political and technological, in his article, "The Influence of History upon Sea Power, a Comment on American Naval Policy," in *Journal of the American Military Institute*, IV (1940), 1-7.
4. "If you have ever happened to see what I have written on the matter of the Anglo-Saxon business you may have noticed that I have always insisted that we are not Anglo-Saxon at all—even admitting for the sake of argument, which I do not, that there are any Anglo-Saxons—but a new and mixed race—a race drawing its blood from many different sources. . . ." Theodore Roosevelt to Finley Peter Dunne, in Joseph Bucklin Bishop, *Theodore Roosevelt and His Time Shown in His Own Letters*, 2 vols., New York, 1920, I, 346-47.
5. Professor Julius W. Pratt has described the New Manifest Destiny and mirrored its exponents in his penetrating study of *Expansionists of 1898*, Johns Hopkins University Press, 1936.
6. "It [the present Administration] has refused to charter, sanction, or encourage any American organization for constructing the Nicaragua canal,—a work of vital importance to the maintenance of the Monroe Doctrine, and of our national influence in Central and South America, and necessary for the development of trade with our Pacific territory, with South America, and with the islands and farther coasts of the Pacific Ocean." Edward Stanwood, *A History of the Presidency*, Boston, 1898, p. 476.
7. Harrison to Blaine, January 17, 1889, *The Correspondence between Benjamin Harrison and James G. Blaine, 1882-1893*, collected and edited by Albert T. Volwiler, American Philosophical Society, *Memoirs*, XIV, Philadelphia, 1940, p. 44.
8. Alice Felt Tyler, *The Foreign Policy of James G. Blaine*, University of Minnesota Press, 1927.
9. For Chimbote, see Volwiler, *op. cit.*, pp. 223, 227; and Alfred Vagts, *Deutschland und die Vereinigten Staaten in der Weltpolitik* (New York, 1935), II, 1454.
10. Read the cogent remarks of A. T. Volwiler on "Harrison, Blaine and American

- Foreign Policy, 1889-1893," in American Philosophical Society, *Proceedings*, LXXIX (November 15, 1938), 637-49.
11. Portell Vilá, *op. cit.*, II, *passim*.
  12. Olney to Chamberlain, September 28, 1896. A. L. P. Dennis, *Adventures in American Diplomacy, 1896-1906*, New York, 1928, p. 60.
  13. The Cuban diplomat and historian, Orestes Ferrera, who had access to a large measure of the archives of the Governments concerned (United States, Spain, Germany, and to a lesser extent France and Italy), has described this move, which the United States Minister at Madrid discovered and aborted, in *The Last Spanish War, Revelations in "Diplomacy,"* New York, 1937. See also Portell Vilá, *op. cit.*, III, 210-14. Cleveland's belief in the sincerity of the Spanish Government must have been shaken by this secret move.
  14. Hermann Hagedorn, *Leonard Wood, a Biography*, 2 vols., New York, 1931, I, 141.
  15. The Cubans intercepted and gave to the New York press a personal letter from the Spanish Minister, Dupuy de Lôme, appraising McKinley as "weak and a bidder for the admiration of the crowd, besides being a would-be politician (*politicastro*) who tries to leave a door open behind himself while keeping on good terms with the jingoes of his party." Moore, *Digest of International Law*, VI, 176.
  16. Charles S. Olcott, *The Life of William McKinley*, Boston and New York, 1916, II, 27. "If we are to have war with Spain, and I assume that we are, the President should lead and not be pushed." Elihu Root to Cornelius Bliss, April 2, 1898. Philip C. Jessup, *Elihu Root*, 2 vols., New York, 1938, I, 196.
  17. Moore, *Digest of International Law*, VI, 195.
  18. Lester B. Shippee has written a carefully documented account of "Germany and the Spanish-American War," in *Am. Hist. Rev.*, XXX (July, 1925), 754-78.
  19. Moore, *op. cit.*, pp. 205-06.
  20. Frederick Ensor Chadwick, *The Relations of the United States and Spain, Diplomacy*, New York, 1909, pp. 562-71.
  21. Henry White to Richard Olney, private and confidential, Harrogate, Yorkshire, June 17, 1896. Henry James, *Richard Olney and His Public Service*, Boston, 1923, p. 244.
  22. The Marquis of Salisbury to Queen Victoria, April 22, 1898. *The Letters of Queen Victoria, Third Series*, George Earle Buckle, ed., 3 vols., London, 1930-1932, III, 236-7, 244, 268.  
Orestes Ferrera, *op. cit.*, has supplemented with additional multi-archival material the earlier but valuable accounts of Dennis, Shippee, Rippey, and Vagts on this interesting episode.  
The *British Documents on the Origins of the War, 1898-1914*, ed. by G. P. Gooch and Harold Temperley, 11 vols., London, 1926-1938, do not enlighten us here.
  23. "The time for intervention has arrived. Humanity demands that we shall act," said Bryan on March 31, 1898, according to Leland Hamilton Jenks in *Our Cuban Colony*, New York, 1928, p. 55. The title of this book suggests its tendency.
  24. This is one of the established theses of Julius W. Pratt's *Expansionists of 1898*.
  25. The McKinley tariff act of 1890, while letting in raw sugar free from abroad, had compensated domestic planters by a bounty of two cents a pound which continued from July 1, 1891, to July 1, 1905. This bounty was another handicap to Cuban sugar growers including those of United States nationality. On

the other hand the Sugar Trust benefited by a protective duty of a half a cent a pound on refined sugar, under the McKinley Act of 1890 and the Wilson Act of 1894. It continued to prosper in the United States on almost a monopoly of the business of refining domestically grown sugar and Hawaiian reciprocity sugar.

26. *Selections from the Correspondence of Theodore Roosevelt and Henry Cabot Lodge, 1884-1918*, 2 vols., New York, I, 300-10. Professor Pratt has exploited the published and unpublished sources on the formation of policy at this time.
27. Horatio S. Rubens, a citizen of the United States who was a member of the Cuban Revolutionary Junta, and its legal adviser, made the claim in his *Liberty, the Story of Cuba*, New York, 1932, that he suggested to Senator Teller a reassuring declaration of purpose by the United States, and that Teller forthwith penciled the amendment out on a pad. It is one of the canons of historical criticism that one must weigh most cautiously an old man's recollections of his youth forty years before.

The reader ought to be reminded that Rubens made use of the so-called Breckenridge Memorandum, a forgery which made it appear that the United States supported the weaker against the stronger contestant in Cuba in order that both might be exterminated and the island annexed. Thomas M. Spaulding has shown this document to be "Propaganda or Legend," *Am. Hist. Rev.*, XXXIX (April, 1934), 485-88.

28. ". . . The avowed purpose and cause of our action [in the war with Spain]," wrote Captain Mahan, "were not primarily redress for grievances of the United States against Spain, but to enforce the departure of the latter from Cuba. . . ." Intervention in Cuba, he pointed out, brought up the strategical position of Puerto Rico, not so much because of its importance as a base for Spanish operations in Cuba, as because of its wider strategical import. "This estimate of the military importance of Puerto Rico should never be lost sight of by us as long as we have any responsibility, direct or indirect, for the safety or independence of Cuba. Puerto Rico, considered militarily, is to Cuba, to the future Isthmian canal, and to our Pacific Coast, what Malta is, or may be, to Egypt and the beyond; and there is for us the like necessity to hold and strengthen the one, in its entirety and in its immediate surroundings, that there is for Great Britain to hold the other for the security of her position in Egypt, for her use of the Suez Canal, and for the control of the route to India." *Lessons of the War with Spain*, Boston, 1899, pp. 26, 28-29.

Curiously enough, the frank conquest of Puerto Rico, as compared with the temporary protectorate over Cuba, has never aroused much hostile criticism in the Old World or the New.

29. "You are authorized to state officially that in the view of the President the intervention described in the third clause of the Platt amendment is not synonymous with the intermeddling or interference with the affairs of the Cuban Government, but the formal action of the Government of the United States, based upon just and substantial grounds, for the preservation of Cuban independence and the maintenance of a government adequate for the protection of life, property and individual liberty and for discharging the obligations with respect to Cuba imposed by the Treaty of Paris on the United States." Jessup, *Elihu Root*, I, 317.
30. Philip G. Wright has given a summary of *The Cuban Situation and Our Treaty Relations*, Brookings Institution, Washington, 1931.

The powerful domestic sugar-beet constituencies fought reciprocity until

they were bought out by the (cane) Sugar Trust. I am indebted for this revelation to Dr. Richard Daniel Weigle of Carleton College, who is preparing a valuable work on The Role of Sugar in American Diplomacy.

31. *Selections from Roosevelt and Lodge*, II, 232-38.

The sincerity of these preferences not to annex Cuba is proven by the temporary character of the intervention of 1906-1909. Compare Korea.

## CHAPTER IX

1. Harold and Margaret Sprout, *The Rise of American Naval Power*, Princeton University Press, 1939. In fact, the first stages of the development of the German navy (the naval laws of 1898 and 1900) did not cause much anxiety even in Great Britain. It was rather the hostile attitude of public opinion in Germany and the language of the German press. Later, 1904-1905, it was a fear that Germany was forcing the pace in armaments in order to dominate Europe. E. L. Woodward, *Great Britain and the German Navy*, Oxford, England, 1935, and A. J. Marder, *The Anatomy of British Sea Power*, New York, 1940.
2. The new problems of naval strategy at the turn of the century have been the subject of renewed study in recent years. George Davis has interpreted the whole history of American naval construction and policy in *A Navy Second to None*, New York, 1939. For a lucid summary of the new factors in naval strategy at the end of the century see the introductory chapter of Harold and Margaret Sprout, *Toward a New Order of Sea Power; American Naval Policy and the World Scene, 1918-1922*, Princeton University Press, 1940. Curiously enough none of these writers has grasped the simple factor of Canada as a hostage. One would expect to find much illumination on this subject when the British archives are opened for this period, particularly the correspondence with the Canadian Government.
3. To John Hay, February 18, 1900, J. B. Bishop, *op. cit.*, I, 144-45. He had just written to Captain A. T. Mahan: ". . . I cannot help feeling that the State Department has made a great error in the canal treaty. We really make not only England but all the great continental powers our partners in the transaction, and I do not see why we should dig the canal if we are not to fortify it so as to insure its being used for ourselves and against our foes in time of war." *Ibid.*
4. The treaty was concluded November 18, 1901. The Senate advised ratification, December 26, 1901. Ratifications were exchanged February 21, 1902.
5. Moore, *Digest of International Law*, VI, 586-93.
6. Bonds had very little to do with the Venezuelan dispute.
7. Henry Pringle, *Theodore Roosevelt*, New York, 1931, p. 283. Moore, *Digest of International Law*, VI, 593.
8. Diligent scholars (Hill, Dennis, Rippey, Vagts, Perkins, Gelber) have not been able to find adequate documentary support for a personal ultimatum from Roosevelt to the German Ambassador that Germany must arbitrate, although Roosevelt may have made some pointed informal intimation, particularly to Sternburg. On this point the personal papers of Speck von Sternburg, successively first secretary, counselor, and *chargé d'affaires* of the German Embassy from March, 1898, to September, 1900, and German Ambassador in 1903, might be most enlightening. The presence of the United States fleet in the Caribbean was doubtless a powerful factor.

9. Statement of Bunau-Varilla to William G. Fletcher in an interview at Paris, June 25, 1938. This is from an unpublished typescript of Dr. Fletcher's thesis (p. 246) on *Canal Site Diplomacy*, *post cit.*
10. Helen Dwight Reid first published this memorandum in her book on *International Servitudes in Law and Practice*, University of Chicago Press, 1932, pp. 241-46. Miner, *post cit.*, also prints it, Appendix D.
11. The Roosevelt papers and the records of the Department of State have been completely opened, as well as the collections of numerous other American personalities, preserved in the Library of Congress. The Colombian diplomatic correspondence, on the contrary, except for certain published documents, has been kept closed to historians. Bunau-Varilla's remaining personal papers have been examined, as well, of course, as his voluminous and polemical publications. The whole episode was the subject of exhaustive investigations by congressional committees, published in *The Story of Panama, Hearings on the Rainey Resolution before the Committee on Foreign Affairs of the House of Representatives*, Washington, 1913. Dwight C. Miner has written the most recent and authoritative monograph on *The Fight for the Panama Route*, Columbia University Press, 1940, which made unnecessary the publication of a similar study being brought to completion independently by William G. Fletcher, of Yale University, who had access uniquely to Bunau-Varilla's personal papers in Paris (only a portion of which were later presented to the Library of Congress). Dr. Fletcher bluntly asked Bunau-Varilla in 1938 whether he got any money out of the deal. Believe it or not, he answered no, only the \$115,000 worth of stock that he saved. This corrected the sum of \$100,000 which he had presented in 1912, in a memorandum to a congressional investigating committee. No one knows how much of a dividend that stock brought him out of the \$40,000,000.
12. J. Fred Rippey has given an instructive summary of the evolution of policy behind the Roosevelt Corollary in *The Caribbean Danger Zone*, New York, 1940, pp. 36-53.
13. Vagts, *op. cit.*, II, 1536.
14. In a letter to Andrew Carnegie, December 18, 1902, which Carnegie turned over promptly to Hay and Roosevelt. Burton J. Hendrick, *The Life of Andrew Carnegie*, New York, 1932, II, 180-82.
15. Perkins, *Monroe Doctrine, 1867-1907*, pp. 362-65.
16. "In reply to your No. 34 of September 8 last, I have to say that the Department approves your refusal to unite with the representatives of the other powers in making a joint demand on the Dominican government for a settlement by an international commission of the claims against that government growing out of the late revolutions. If any Americans hold claims against the Dominican government, they should prepare and present them to the Department. . . ." Instructions to T. C. Dawson, Esq., Minister of the United States in Santo Domingo City, No. 33. November 30, 1904, Department of State Records, National Archives, *Dominican Republic, Instructions*.
17. W. F. Powell to the Secretary of State, No. 828, Santo Domingo City, April 14, 1904 (received May 2). Department of State Records, National Archives, *Dominican Republic* [Despatches], XI, March 1, 1904-August 22, 1904. Inquiries instituted immediately through the Embassy at Rome elicited a denial by the Italian Minister of Foreign Affairs. See George von L. Meyer to the Secretary of State, telegram, May 6, 1904, and No. 374 of May 20 (received June 17). *Ibid.*, *Despatches, Italy*, XLI.
18. *Ibid.*, for text of the award.

19. I have not been able to find in the papers of Theodore Roosevelt for this period any reference to the Hague Court decision.
20. Theodore Roosevelt to Theodore Roosevelt, Jr. [at Groton School], February 10, 1904. Theodore Roosevelt Papers, Library of Congress. President's personal letterbooks, XV. Printed by permission.
21. "Confidential Memorandum for the Secretary of State on the Dominican Republic. Present conditions observed during a recent visit—financial situation—historical notes—some suggestions, March 19, 1904." Printed. Enclosed in John Hay to the President, March 25, 1904. Theodore Roosevelt Papers. Library of Congress. Confidential File, Santo Domingo.
22. "As for annexing the island, I have about the same desire to annex it as a gorged boa constrictor might have to swallow a porcupine wrong-end-to. Is that strong enough?" Bishop, *op. cit.*, I, 431.
23. Roosevelt Papers, Library of Congress, Confidential File, Department of State. See also message to the Senate of February 15, 1905, quoted below.  
 W. F. Powell, the United States Minister of long service in Santo Domingo, having heard that an irresponsible Senator had brought up a proposal for annexation of the Dominican Republic, wrote a long despatch to Hay, No. 796, of March 13, 1904, urging that the way to annex the country, if so desired, was not by force, but by the promise of peace, security and prosperity that would result from a financial receivership under United States protection. This could bring about peaceful annexation within a decade, he said, indeed almost recommended. Department of State Records, National Archives, Santo Domingo [Despatches], XI, March 1, 1904-August 22, 1904.  
 Powell was soon replaced by a new Minister.
24. The State Department would have dropped this altogether, but the Dominican commissioners insisted upon its being included. They had been alarmed by a warning from the Dominican consul-general in New York that the United States was seeking a wedge for annexation. The American Minister "chose the form . . . [least] likely to meet with objections on the part of Americans who dread the responsibilities implied in a general protectorate," which was accepted by Washington. *Foreign Relations*, 1905, p. 322.
25. W. Stull Holt has explained this as one of the significant *Treaties Defeated by the Senate, a Study of the Struggle between President and Senate over the Conduct of Foreign Relations*, Johns Hopkins Press, 1933, pp. 212-95.
26. *Foreign Relations*, 1907, pp. 307-10.
27. *Foreign Relations*, 1905, pp. 298-394.
28. *Foreign Relations*, 1905, pp. 334-35. See also the annual message to Congress, December 5, 1905.
29. "The Initiation of the Customs Receivership in the Dominican Republic," *Hisp. Am. Hist. Rev.*, XVII, November, 1937, 419-57. I have also consulted the Department of State records, now in the National Archives, and the papers of Theodore Roosevelt, in the Library of Congress.
30. Annual message to Congress, December 5, 1905.
31. *Latin America and the United States*, Addresses by Elihu Root, Harvard University Press, 1917, p. 98.
32. Below, pp. 235, 255.
33. "It would be an error, then, and a profound one, to imagine that the Roosevelt corollary marks a metamorphosis in our relationships with the states of Latin America." Dexter Perkins, *Monroe Doctrine, 1867-1907*, pp. 452-55.
34. J. Fred Rippy has given us a useful analysis of "Literary Yankeeophobia in Hispanic America," *Journal of International Relations*, XII (January, April,

- 1922), 350-71, 524-38. See also the summary in his introduction to the English edition of Manuel Ugarte, *The Destiny of a Continent*, New York, 1925.
35. In his later article on "The Initiation of the Dominican Customs Receivership," *loc. cit.*, Professor Rippy points out that the official representatives of the Italian, French, German, Belgian, and Spanish Governments in Santo Domingo positively approved Roosevelt's receivership. As has been noted above, British spokesmen suggested the idea.
  36. Sumner Welles, *Naboth's Vineyard, the Dominican Republic, 1844-1924*, New York, 1928, II, 918-19.
  37. Jessup, *Root*, I, 496-99.
  38. *Ibid.*, I, 500-14.
  39. They also recommended the establishment of a number of Central American cultural institutions, including a pedagogical institute and allied technical schools, and a secretariat to be called the Bureau of Central American Republics. These proved abortive.
- For texts of the conventions, and observations on them, see the report of William I. Buchanan, United States plenipotentiary at the Conference, *The Central American Peace Conference, Held at Washington, D. C., 1907*, Washington, 1908.
40. The doctrine received its name from Carlos R. Tobar, retired Ecuadorean diplomat and foreign minister, who defined it in a letter written from Barcelona, March 15, 1907, to a friend who was Bolivian consul in Brussels. Said Tobar: "The American Republics, for their own credit and renown, if not for other considerations, ought to intervene in an indirect way in the internal dissensions of the Republics of the Continent. Such intervention might consist at least in the nonrecognition of *de facto* governments sprung from revolutions against the constitution." Leonidas García in an article written in 1909, but not published until 1913, developed this principle, with the title Tobar Doctrine in "La doctrina de Tobar," *Revista de la sociedad juridico-literaria* (Quito, Ecuador), *Nueva Serie*, I, No. 1 (January-February, 1913), 25-71.
  41. H. C. Hill, *Roosevelt and the Caribbean*, *op. cit.*, pp. 174-214.
  42. Sumner Welles, *op. cit.*, II, 919.

Charles A. Beard makes of Nicaragua an illustration *par excellence* of how private interests supplanted public interests in formulating *The Idea of National Interest*, New York, 1934. He bases his conclusions upon the impressive but *ex parte* testimony of Toribio Tijerno, an ex-Nicaraguan financial agent in New York, and Thomas P. Moffat, a critical and discontented former United States consul-general in Nicaragua, in *Hearings before the Subcommittee on Foreign Relations of the United States Senate, 69th Cong. 2d Sess., Pursuant to S. Con. Res. 15, Relative to Engaging the Responsibility of the Government in Financial Relations between its Citizens and Sovereign Foreign Governments*. January 25, 26, 27, and February 16, 1927.

In his caustic treatment of the Nicaraguan intervention, Mr. Beard makes no mention of the significance of the Panama Canal, nor in his whole book for that matter.

Rippy's more temperate analysis of "dollar diplomacy" and strategical factors in Nicaragua, *Caribbean Danger Zone*, *op. cit.*, gives almost no consideration to the Central American treaties of 1907 and 1923, which in my opinion explain the policy of the United States more than does "dollar diplomacy." A great many details on *The Caribbean Policy of the United States, 1910-1920*, but little new understanding of it, are brought out in Wilfrid Hardy Callcott's new book of that title, published by the Johns Hopkins Press, 1942.

43. Henry F. Pringle, *The Life and Times of William Howard Taft*, 2 vols., New York, 1939, II, 678-79.
  44. Dana G. Munro, *The Five Republics of Central America*, New York, 1908, p. 219.
  45. In the case of the Emery Company the Government had supported a claim for cancelation of a lucrative but legal lumbering concession, and Knox had negotiated a treaty with Nicaragua submitting the dispute to a mixed claims commission. Before the claim was arbitrated, however, the Nicaraguan Government settled for a lump sum of \$600,000; but the revolution broke out before the award was paid. It was paid later in 1917 out of the canal treaty money.
  46. Isaac J. Cox has written an excellent summary of *Nicaragua and the United States, 1909-1927*, World Peace Foundation, Boston, 1927.
  47. The diplomatic correspondence (see *Foreign Relations, 1909*, pp. 448-52) avers that prisoners of war had not been executed in Nicaragua for fifty years. Technically, this was not a state of war, until outside nations had recognized the belligerency of the rebels. The execution of insurrectionists was unprecedentedly harsh in Nicaragua; but the Spanish American protocol of 1877 had agreed that when United States citizens were caught in the rebel forces with arms in their hands they might be tried by military tribunals.
  48. In the case of the Dominican receivership, the receiver-general was to be appointed directly by the President of the United States. In the case of the rejected Nicaraguan and Honduran treaties the nomination originated with the bankers, but must then be accepted and approved by the President of the United States for appointment by the Presidents of the respective republics.
  49. The commission completed its labors in 1914. It passed on 7,908 claims for a total of \$13,808,161 gold and allowed \$1,840,432.31. The awards were put in the way of payment out of a *tranche* of customs revenue. Munro, *op. cit.*, p. 241-42.
  50. Munro, *op. cit.*, p. 243.
  51. The total foreign debt of Nicaragua on December 31, 1915 (before the Bryan-Chamorro Treaty went into effect), was:
 

Ethelburga bonds [London] (£1,179,620) .....	\$5,740,131
Brown Brothers and Seligman .....	1,060,000
	\$6,800,131
- Munro, *op. cit.*, p. 293.
52. See Chapter XI, p. 187.
  53. For his "efforts that failed," see Rippey, *Caribbean Danger Zone, op. cit.*, 206-23.
  54. This memorandum, originally dated October 5, 1912, has since been published in a third revised edition, with supplemental appendix to 1933, as Publication No. 538 of the Department of State, Washington, 1934. This was prepared prior to the meeting of the Seventh International Conference of American States at Montevideo in December, 1933.

## CHAPTER X

1. Harley Notter, *The Origins of the Foreign Policy of Woodrow Wilson*, Johns Hopkins Press, 1937, p. 127.
2. *Latin America and the United States, Addresses by Elihu Root*, Harvard University Press, 1917, p. 168.
3. Pringle, *Taft*, II, 700.



4. For analysis of holdings, in *pesos*, see Edgar Turlington, *Mexico and Her Foreign Creditors*, Columbia University Press, 1930, p. 323.
5. Pringle, *Taft*, II, 670-715.
6. Elton Atwater has published an exhaustive study of *American Regulation of Arms Exports*, Washington, Carnegie Endowment for International Peace, 1941.
7. *Foreign Relations*, 1912, pp. 736-50; 1913, pp. 872-75.
8. To give constitutional color to the proceeding, Huerta had Congress "legally" called together. It received the resignations of Madero and Suárez, and under the constitution then declared the succession of the Minister of Foreign Affairs, Lascurain, as Provisional President. He then appointed Huerta as Minister of Gobernación, and resigned. "By provision of the Mexican constitution," Henry Lane Wilson solemnly recorded, "General Huerta thus became automatically provisional president of the republic and his title was approved by Congress without a dissenting vote." *Diplomatic Episodes in Mexico, Belgium and Chile*, New York, 1927, p. 291 *et passim*.
9. Ernest Gruening, *Mexico and Her Heritage*, Boston, 1934, p. 306, citing Ramón Prida, *¡De la dictadura á la anarquía!* El Paso, 1914, pp. 555-66.
10. Within a year Wilson recognized (February 12, 1914) a new provisional government of revolutionary origin in Peru, because he judged that it genuinely preserved constitutional self-government instead of violating it. Notter, *op. cit.*, p. 284. It was another diplomatic judgment on a revolution.
11. *Foreign Relations*, 1913. See index under "Mexico, Huerta, recognition of his government."
12. *Foreign Relations*, 1913, p. 7.
13. See note 10.
14. Ray Stannard Baker, *Woodrow Wilson, Life and Letters*, 8 vols., New York, 1927-1939, IV, 267.
15. Charles Seymour, *The Intimate Papers of Colonel House*, New York, 1926, I, 201.
16. *Foreign Relations*, 1914, pp. 451-52.
17. From a technical point of view it is interesting to note that although the United States refused to recognize Huerta in any way, it still maintained in Mexico City, after Ambassador H. L. Wilson's recall, an embassy staff under Nelson O'Shaughnessy as *chargé d'affaires*. O'Shaughnessy delivered notes from the United States to Huerta's Government, and remained on most cordial personal terms with the general. Upon the occupation of Vera Cruz, Huerta handed him his passports and these anomalous "diplomatic relations" were terminated.
18. The *Ypiranga*. It is said that the cargo of this ship eventually reached Mexico through another port.
19. The voluminous correspondence of the United States Government relating to intervention in Mexico and the ABC mediation, is printed in *Foreign Relations*, 1914, pp. 442-904.
20. "Confidential Memorandum to the Mediators," undated, clipped to mimeographed formal reply, in Wilson Papers, Library of Congress, File II-A, Box 36.
21. There is much to suggest, in John Lind's papers as presented in George M. Stephenson's *John Lind of Minnesota*, University of Minnesota Press, 1935, that the President was not displeased at Carranza's refusal to accept a settlement from the hands of the mediators. Wilson followed Lind's recommendation to insist on the installation of a constitutionalist provisional regime; and Carranza accepted the Minnesotan's advice to stand aloof from the mediators.
22. Wilson stressed the agrarian problem as the key to Mexican politics and peace in a celebrated interview (April 27) with Samuel G. Blythe published in the *Saturday Evening Post*, May 23, 1914.

23. Notter, *op cit.*, pp. 397-98.
24. *The Lansing Papers, 1914-1920*, II, 529-30.  
Charles W. Eliot of Harvard had proposed to the President a similar idea, in a letter of February 19, 1915: "An American League to Set Mexico, and perhaps Hayti and San Domingo, in Order. . . ." Wilson could not accept it because it involved the use of force. Baker, *Wilson*, VI, 60 n.
25. These six republics constituted the three Latin American nations with ambassadorial representation at Washington plus three others whose ministers ranked first in terms of service at that capital. *Ibid.*, II, 537.
26. *Foreign Relations*, 1915, pp. 780-82.
27. Baker, *Wilson*, V, 68.
28. *Foreign Relations*, 1917, pp. 1078-84.
29. Notter, *op. cit.*, pp. 617-18; Baker, *Wilson*, VI, 75.

## CHAPTER XI

1. W. J. Bryan to Wilson, August 6, 1913, cited and quoted by Baker, *Wilson*, IV, 433-35. Italics inserted.
2. See Chapters XIX, XX, below.
3. See the official *précis*, *The United States and Nicaragua, a Survey of the Relations from 1909 to 1932*, Department of State Publication No. 339, Latin American Series, No. 6, Washington, 1932, particularly pp. 28-37, and 46.  
"Under this financial plan," stated President Coolidge in a special message to Congress of January 10, 1927, "the finances of Nicaragua have been rehabilitated in a very satisfactory manner. Of the \$3,744,000 of internal customs bonds issued in 1917 about \$900,000 have been paid. Of the external debt, bonds issued in 1909 amounting to £1,250,000 there now remain only about £770,000. The total public debt of Nicaragua has been reduced from about \$22,000,000 in 1917 to \$6,625,203 at the beginning of 1926. Furthermore, the country in time of peace has ample revenue for its ordinary budget expenses and a surplus which has been used in extensive public improvements. The Nicaraguan National Bank and the National Railroad, controlling interests in which were formerly owned by American bankers, were repurchased by the Nicaraguan Government in 1920 and 1924, and are now wholly owned by that government."
4. For a standard factual account of Nicaragua under American occupation, see Dana G. Munro, *The United States and the Caribbean Area*, World Peace Foundation, Boston, 1934.
5. Thomas A. Bailey has given us a dependable survey of United States "Interest in a Nicaraguan Canal, 1903-1931," in *Hispanic American Historical Review*, XVI (February, 1936), 2-28.
6. "This interference," wrote Sumner Welles in 1928, was "plainly foreign to the treaty rights of the United States, and in complete disregard of the sovereignty of the Dominican Republic." *Naboth's Vineyard*, II, 694.
7. Politics makes strange bedfellows; so does diplomacy. Bryan the politician was the anti-imperialist of 1900, the opponent in 1902 of the Platt Amendment for a Cuban protectorate, the uncompromising enemy of "dollar diplomacy" from 1907 to 1913. Bryan, the Secretary of State in 1913-1915, became the advocate of a Platt Amendment for a Nicaraguan protectorate, a dollar diplomatist despite himself, and a vigorous interventionist in the Dominican Republic and Haiti. Selig Adler has brought out these contrasts and the interrelationship of

- "Bryan and Wilsonian Caribbean Penetration," in *Hisp. Am. Hist. Rev.*, XX (May, 1940), 198-226.
8. Bryan to Wilson, June 14, 1913. Baker, *Wilson*, VI, 87.
  9. *Ibid.*
  10. Dexter Perkins has printed this note in full in his recently published *Hands Off, a History of the Monroe Doctrine*, Boston, 1941, pp. 263-64, from the files of the Department of State (838.51). It contains this further important paragraph:  
 "Probably a participation of the Government of His Imperial Majesty in any method which might be agreed upon by which the Government of the Republic of Haiti should be assisted in the orderly, efficient and economical administration of its customs revenues did not present itself to His Imperial Majesty's Government as a departure from the traditional policy of the Government of the United States when its note was drafted. But this Government would regard such participation as a very serious departure from that policy alike in principle and in practice. The Government of the United States regards as one of the grave possibilities of certain sorts of concessions granted by governments in America to European financiers and contractors and of certain sorts of contracts entered into by those governments with European banking houses and financiers that the legitimate and natural course of enforcing claims might lead to measures which would imperil the political independence, or at least, the complete political autonomy of the American states involved, and might issue in results which the Government of the United States has always regarded as its duty to guard against as the nearest friend and champion of these states whenever they need a friend and champion." Printed by permission.
  11. It was, of course, unnecessary, in 1915, to ask Germany not to land forces in Haiti. France landed a token force to guard her legation during the riot.
  12. Bryan had resigned before the treaty was actually signed, but the policy was his, approved unequivocally by Wilson.
  13. *New York Herald*, August 19, 1920, p. 3. See also *Inquiry* [of a congressional committee] into *Occupation and Administration of Haiti and Santo Domingo, Hearings*. . . . Washington, 1921-1922, 2 vols. 7 parts, I, 194, 264.
  14. *Lansing Papers*, II, 501-12.
  15. This is suggested by a letter of Wilson to his friend Arthur W. Page, March 28, 1914, which Philip Lowry noted for me:  
 "I have read the paper by Hale and like it very much indeed; but there is one thing that he has not done which it is very important indeed to the interests of the country that he should do. He has not distinguished between the South American states and the Central American states. His generalizations about Latin America are, I think, true with regard to the Central American states, but they are not true with regard to the South American states, and it would be very much to the advantage of the article and of the impression it is to make if this distinction were carefully drawn. The conditions in South America have elements of disturbance in them but they are few as compared with the disturbing elements in Central America." Woodrow Wilson Collection, Library of Congress, VI, file 240. Printed by permission.
  16. *Official Proceedings of the Twenty-first Annual Session of the Trans-Mississippi Commercial Congress Held at San Antonio, Texas, December 22, 23, 24, 25, 1910*, pp. 114, 237, 356 [San Antonio? 1910].
  17. December 14, 1910.
  18. House Joint Resolution 278. *Congressional Record*, January 26, 1911, p. 1461.

19. *American Journal of International Law*, V (April, 1911), 463-64; *Congressional Record*, 61st Congress, 3rd Session, p. 1461, and House Report No. 2057.
20. *Foreign Relations*, 1912, pp. 1-2.
21. Department of State Archives, 710.11/146.
22. Slayden had written personally to Bryan, who sent his letter to Wilson. Baker, *Wilson*, IV, 285; Notter, *op. cit.*, 273. Bryan himself had attended and addressed the convention at San Antonio, speaking on Latin American relations.
23. Wilson to Bryan, January 28, 1914, cited by Baker, *Wilson*, IV, 285.
24. Baker, *Wilson*, VI, 83.
25. *Intimate Papers of Colonel House*, I, 209-10.
26. *Lansing Papers*, II, 472-73. The articles were presented February 1, 1915. Colonel House had already discussed the project with the Ambassadors in Washington of Argentina, Brazil, and Chile. *Intimate Papers*, I, 210-18.
27. Philip Lowry is making a special study of this.
28. "Draft Articles for Proposed Pan-American Treaty. Article I:  
"That the high contracting parties to this solemn covenant and agreement hereby join one another in a common and mutual guarantee of territorial integrity and of political independence under republican forms of government.  
Article II:  
"To give definitive application to the guarantee set forth in Article I the high contracting parties severally covenant to endeavor forthwith to reach a settlement of all disputes as to boundaries or territory now pending between them by amicable agreement or by means of international arbitration.  
Article III:  
"That the high contracting parties further agree, First, that all questions, of whatever character, arising between any two or more of them which cannot be settled by the ordinary means of diplomatic correspondence shall, before any declaration of war or beginning of hostilities, be first submitted to a permanent international commission for investigation, one year being allowed for such investigation; and, Second, that if the dispute is not settled by investigation, to submit the same to arbitration, provided the question in dispute does not affect the honour, independence, or vital interests of the nations concerned or the interests of third parties.  
Article IV:  
"To the end that domestic tranquillity may prevail within their territories the high contracting parties further severally covenant and agree that they will not permit the departure from their respective jurisdictions of any military or naval expedition hostile to the established government of any of the high contracting parties, and that they will prevent the exportation from their respective jurisdictions of arms, ammunition or other munitions of war destined to or for the use of any person or persons notified to be in insurrection or revolt against the established government of any of the high contracting parties." *Lansing Papers*, II, 495-96.
29. These are the words of Ambassador Henry P. Fletcher in personal letters to Secretary of State Lansing, from Santiago, November 1, 1915, and January 21, 1916. *Lansing Papers*, Library of Congress.
30. Cuba, Nicaragua, Panama, Paraguay, Salvador, Uruguay. Department of State Archives, 710. 11/226-70.
31. *The Lansing Papers*, II, 459-70. See also Perkins, *Hands Off*, pp. 266-69.
32. See Map 9.

## CHAPTER XII

1. *Addresses in Brazil Delivered by the Hon. Charles Evans Hughes, Secretary of State, September 1922*, Washington, 1922, p. 3.
2. *Naboth's Vineyard*, II, 836-99.
3. See D. G. Munro, *op. cit.*, for more detailed account of American Efforts to Promote Stable Government in Central America.
4. Laudelino Moreno, *Historia de las relaciones interstatales de Centroamérica*, Madrid, 1928, p. 181.
5. For this controversy, see pp. 188-99.
6. The official Department of State published *précis*, *The United States and Nicaragua*, p. 32, contains the curious statement: "This protocol has not been ratified by either country." It is not usual for protocols to be ratified by the Senate, although this has been done in some instances (like the Rush-Bagot agreement of 1817) to give them the force of treaties rather than of executive agreements.
7. "The Gondra Treaty was undoubtedly the foundation of the Washington treaties for conciliation and arbitration." Statement of Frank B. Kellogg, quoted in David Bryn-Jones's biography, *Frank B. Kellogg*, New York, 1937, p. 129.
8. This seems to have meant no immediate reelection without an interval of one term. For the text of Article II of the treaty, see note 11 below.
9. *Foreign Relations*, 1923, II, 432-34.
10. *The United States and Nicaragua*, p. 49. For the text of Article II see note 11 below.
11. "Article II: Desiring to make secure in the Republics of Central America the benefits which are derived from the maintenance of free institutions and to contribute at the same time toward strengthening their stability and the prestige with which they should be surrounded, they declare that every act, disposition or measure which alters the constitutional organization in any one of them is to be deemed a menace to the peace of said Republics, whether it proceed from any public power or from the private citizens.  
 "Consequently, the Governments of the Contracting Parties will not recognize any other Government which may come into power in any of the five Republics through a *coup d'état* or a revolution against a recognized Government so long as the freely elected representatives of the people thereof have not constitutionally reorganized the country. And even in such case they obligate themselves not to acknowledge the recognition if any of the persons elected as President, Vice-President or Chief of State Designate should fall under any of the following heads:  
 "1) If he should be the leader or one of the leaders of a *coup d'état* or revolution, or through blood relationship or marriage be an ascendant or descendant or brother of such leader or leaders.  
 "2) If he should have been a Secretary of State or should have held some high military command during the accomplishment of the *coup d'état*, the revolution, or the election.  
 "Furthermore, in no case shall recognition be accorded to a government which arises from election to power of a citizen expressly and unquestionably disqualified by the Constitution of his country as eligible to election as President, Vice-President or Chief of State Designate."
12. These munitions were carried from Mexico to Nicaragua in four successive vessels, the steamships *Foam*, *Concon*, *El Tropical*, and *Superior*, between August

and December, 1926. Henry L. Stimson, *American Policy in Nicaragua*, New York, 1927, p. 33.

President Coolidge did not say whether the evidence showed that these munitions were part of those which the United States Government had recently sold to the Obregón Government of Mexico (see below, p. 217) to enable it to put down a revolution.

13. 3000 rifles, 200 machine guns, 3,000,000 rounds of ammunition were sold to Nicaragua by the War Department in 1927. An earlier sale had taken place in 1921. The total for the two sales was \$289,898.78. Interest charges had increased this amount to approximately \$484,000 as of August 30, 1937. Nicaragua claimed a total of \$641,115.91, principal and interest, from the United States Government for refund of income tax levies on the Ferrocarril del Pacífico de Nicaragua, a State of Maine corporation owned and operated by the Government of Nicaragua. The claim was acknowledged and set off against the munitions debt in a treaty signed April 14, 1938, by which the United States paid Nicaragua a balance of \$72,000. See *Department of State Press Releases* No. 446, April 16, 1938.
14. The refunding bonds issued under the Financial Plan of 1917 were written in Nicaraguan *córdovas*, a *córdova* equal to a United States dollar. An inflation of the currency could easily dissipate the substance of the bondholders.
15. Fifteen days later, in a public address, Coolidge declared that "the person and property of a citizen are a part of the general domain of the Nation, even when abroad," and, "there is a distinct and binding obligation on the part of self-respecting governments to afford protection to the persons and property of their citizens, wherever they may be." *Address of the President of the United States before the United Press Associations, Hotel Biltmore, New York, April 25, 1927*, New York, no date, pp. 10-11.
16. Cox, *Nicaragua and the United States, 1909-1927*, World Peace Foundation, Boston, 1927, p. 786.
17. *Congressional Record*, 69th Congress, 2nd Session, p. 1645-53.
18. Claude M. Fuess, *Calvin Coolidge, The Man from Vermont*, Boston, 1940, p. 415.
19. *American Policy in Nicaragua*, *op. cit.*, pp. 113-16.
20. See A. H. Feller, *The Mexican Claims Commissions, 1923-1934, a Study of the Law and Procedure of International Tribunals*, New York, 1935.
21. The munitions sold to the Obregón government of Mexico (to which Calles succeeded by regular election) by the United States War Department in 1924 amounted to \$1,286,611.48. See *Shipments of Arms to Mexico*. Senate Document 104, 68th Congress, 1st Session, Washington, 1924. In 1929, \$480,908.94 more was sold to Mexico. Payment for all the above-mentioned munitions has long since been completed by the Mexican Government. Department of State Archives, RA, 710.11/2790.
22. Bryn-Jones, *op. cit.*, p. 183.
23. Harold Nicolson, *Dwight Morrow*, New York, 1935, pp. 313-14.
24. Fuess, *op. cit.*, p. 414.
25. *General Pact for the Renunciation of War, Hearings before the Senate Committee on Foreign Relations, United States Senate, 70th Congress, 2d Session, December 7, 11, 1928*, Washington, 1928, pp. 19-20.
26. James T. Shotwell, *War as an Instrument of National Policy*, New York, 1929, p. 297.
27. *General Pact for the Renunciation of War*, *op. cit.*, p. 15. Hunter Miller, in his

- exegesis, *The Peace Pact of Paris*, New York, 1928, concludes, p. 123: "The right of self-defense remains unchanged, including expressly the British Regional Doctrine and *sub silentio* the Monroe Doctrine."
28. See particularly his addresses on the Monroe Doctrine, at Minneapolis, August 30, 1923, and at Philadelphia, November 30, 1923. *The Pathway of Peace*, pp. 113-64.
  29. See below, p. 252.
  30. *Pathway of Peace*, p. 121.
  31. *American Policy in Nicaragua*, p. 112. This book was published late in 1927.
  32. *Naboth's Vineyard*, II, 924.
  33. For the personal reasons leading to the separation of this experienced career diplomat from the service, from 1925-1933, see *New York Times Magazine*, Sunday, August 3, 1941, p. 9.
  34. *Memorandum on the Monroe Doctrine*, prepared by J. Reuben Clark, Washington, 1930, Department of State Publication No. 37, pp. xxiii-xxiv.
  35. William Starr Myers, *The Foreign Policies of Herbert Hoover, 1929-1933*, New York, 1940, pp. 41-54. W. J. Dennis has written a monograph on *Tacna and Arica; an Account of the Chile-Peru Boundary Dispute and of the Arbitrations by the United States*, Yale University Press, 1931.
  36. *The United States and Other American Republics, a Discussion of Recent Events. Address by the Honorable Henry L. Stimson, Secretary of State, before the Council on Foreign Relations, New York City, February 6, 1931*. Publications of the Department of State, Latin American Series, No. 4, Washington, 1931.
  37. *Department of State, Press Releases*, No. 92, July 4, 1931, p. 31.
  38. Address at the Gridiron Club, Washington, April 13, 1929. Myers, *op. cit.*, p. 43.
  39. Myers, *op. cit.*, p. 45. A wave of revolutions affected practically all the South American countries during the depression years of 1930-1933. They were political reactions to the economic dislocations caused by abrupt decline in exports.
  40. The full text of the "Stimson Doctrine" read as follows: "[The United States] cannot admit the legality of any situation *de facto* nor does it intend to recognize any treaty or agreement entered into between those governments, or agents thereof, which may impair the treaty rights of the United States or its citizens in China, including those which relate to the sovereignty, the independence, or the territorial and administrative integrity of the Republic of China, or to the international policy relative to China, commonly known as the open-door policy; and that it does not intend to recognize any situation, treaty or agreement which may be brought about by means contrary to the covenants and obligations of the Pact of Paris of August 27, 1928, to which treaty both China and Japan, as well as the United States, are parties. Griswold, *Far Eastern Policy*, *op. cit.*, p. 424.
  41. The first Pan American Conference at Washington in 1890 adopted a resolution recommending to the governments represented in the Conference, signatories to a general treaty of arbitration (never ratified), that they adopt the following declarations:
 

"First, that the principle of conquest shall not, during the continuance of the treaty of arbitration, be recognized as admissible under American public law.

"Second, that all cessions of territory made during the continuance of the treaty of arbitration shall be void if made under threats of war or in the presence of an armed force.

"Third. Any nation from which such cessions shall be exacted may demand that the validity of the cessions so made shall be submitted to arbitration.

"Fourth. Any renunciation of the right to arbitration, made under the conditions named in the second section, shall be null and void." *International American Conference. Reports of Committees and Discussions Thereon*, Washington, 1890, II, 1084-1121.

Because the signatories did not ratify their treaty of arbitration, these resolutions of 1890 never had more than academic force. The delegates of Brazil proposed the same doctrine to the Second Hague Conference in 1907, and, as we have seen, the Havana Pan American Conference of 1928, before calling for the special conference that produced the inter-American treaties of conciliation and arbitration of Washington of 1929, resolved unconditionally that:

"1. All aggression is considered illicit and as such is declared prohibited.

"2. The American States will employ all pacific means to settle conflicts which may arise between them." *The International Conferences of American States, 1889-1928*, Carnegie Endowment for International Peace, New York, 1931, p. 442.

## CHAPTER XIII

1. I do not speak here of the numerous minor interventions, by landing forces, not to undertake acts of sovereignty but to protect citizens in foreign countries. For a list of these occasions, see *Right to Protect Citizens in Foreign Countries by Landing Forces, Memorandum of the Solicitor of the Department of State* [J. Reuben Clark], October 5, 1912. 3d revised edition with supplemental appendix up to 1933, Washington, 1934.
2. A. Pearce Higgins, *The Hague Peace Conferences and Other International Conferences Concerning the Laws and Usages of War, Texts of Conventions with Commentaries*, Cambridge, England, 1909, pp. 195-96.
3. E. M. Borchard, "The 'Committee of Experts' at the Lima Conference," *Am. Jour. of Internat. Law*, XXXIII (April, 1939), 269-84.
4. Charles Calvo, *Le droit international, théorique et pratique; précédé d'un exposé historique des progrès de la science du droit des gens*, 3d ed., 4 vols., Paris, 1880, I, 238.
5. Alvyn V. Freeman has set forth *The International Responsibility of States for Denial of Justice*, New York, 1938, in a most learned and impartial way. "Resort to the arbitral process," he demonstrates, "should be cheerfully welcomed as an opportunity to vindicate the judicial activity against which attack is directed. At the present era [1938] of international relations, the submission of these cases to the scrutiny of an impartial body is the only sound assurance of an objective determination of the rights of aliens," p. 545. See also Edwin M. Borchard, "The 'Minimum Standard' for the Treatment of Aliens," in *Mich. Law Rev.*, XXXVIII (February, 1940), 445-61.
6. "Latin America and International Law," *Am. Jour. Internat. Law*, III (April, 1909), 335, n. 85.
7. *International American Conference, Reports of Committees and Discussions Thereon*, English edition, Washington, 1890, II, 932-37. Italics inserted.
8. For texts, signatures, ratifications, adherences, see *The International Conferences of American States, 1889-1928*, Carnegie Endowment for International Peace, New York, 1931. I am informed by the juridical division of the Pan American Union, which keeps a careful up-to-date tabulation of the status of inter-American treaties, that no party has denounced the treaty (1941).
9. *Actas y documentos de la segunda Conferencia Pan-Americana. Second Pan-American Conference, Minutes and Documents*, Mexico, 1902, pp. 122, 307, 342, 364,



- 365, 502, 525, 713. The following republics signed a convention to this effect: the United States, Argentine Republic, Bolivia, Colombia, Chile, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Paraguay, Peru, Uruguay.
10. Memorandum by the Solicitor on the Codification of Public International Law, December 22, 1927. State Department Archives, 710.C2/265-5/6.
  11. One or more states might designate the same jurist, but each state retained a vote.
  12. *Treaties, Conventions, International Acts, Protocols, and Agreements between the United States of America and Other Powers, 1910-1923*, Washington, 1923, III, 2886.
  13. Never held in the sense of a general conference, although a special conference on the codification of international law took place in 1930. It was limited to the subjects of nationality, territorial waters, and the responsibility of states for damages caused in their territory to the person or property of foreigners. The only Latin American states present were Brazil, Chile, Colombia, Cuba, Mexico, Nicaragua, El Salvador, Uruguay. The others were conspicuous by their absence, doubtless scared away by the appearance of responsibility on the agenda. Because of the opposition of the smaller Latin American states present, the Conference was unable to agree upon any recommended code on responsibility. At this conference the delegation of the United States accepted the following: "A state is responsible for damage suffered by a foreigner as the result of the courts following a procedure and rendering a judgment vitiated by faults so gross as to indicate that they did not offer the guarantees indispensable for the proper administration of justice." Edwin M. Borchard, "Responsibility of States" at the Hague Codification Conference," *Am. Jour. Int. Law*, XXIV (July, 1930), 517-40, and Freeman, *Denial of Justice*, pp. 528, 658-713.
  14. *Cuarta conferencia internacional Americana, 1910, anexos, resoluciones y convenciones*, Buenos Aires, 1911, pp. 26-31.
  15. February 3, 1911. State Department Archives, 710.C2/39A.
  16. State Department Archives, 710.C2/75.
  17. "The Department suggests the great desirability, indeed the necessity, of avoiding at the present time the setting down for discussion of any matter as to which there has already developed among the various countries which will be represented, a seemingly irreconcilable difference of opinion and practice since such a course would probably render abortive the entire work and purpose of the Commission. Moreover since the work of the Commission to be effective must represent the wishes and views of all the governments concerned, it is unnecessary to point out to you the necessity of adopting some rule of procedure for the Commission under which nothing shall be submitted for the consideration of the various governments which shall not have received the unanimous approval of the delegates of all the governments represented."
- Secretary of State Philander C. Knox to John Bassett Moore, Esq., Delegate, and Frederick Van Dyne, Technical Delegate of the United States on the International Commission of Jurists, Rio de Janeiro. Washington, June 3, 1912. State Department Archives, 710.C2/73b.
- The countries represented at the Congress were: the United States of America, Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Mexico, Panama, Paraguay, Peru, El Salvador, Uruguay, Venezuela.
18. J. B. Moore to the Secretary of State, Rio de Janeiro, July 19, 1912. Department of State Archives, 710.C2/85. Also see *Report of United States Delegates*

- to *International Commission of Jurists, Rio de Janeiro, June, 1912*. H. R. Doc. 1343, 62d Cong., 3d sess., Washington, 1913, and *International Commission of Jurists, Acts, Resolutions and Documents, First Assembly in Rio de Janeiro* (from June 26 to July 19, 1912), Rio de Janeiro, 1914.
19. Dr. James Brown Scott, President of the American Institute of International Law, in an address of welcome at the first meeting of the Institute in Washington, in 1916, explains the origin of the Institute. See James Brown Scott, *The American Institute of International Law; Its Declaration of the Rights and Duties of Nations*, American Institute of International Law, Washington, D. C., 1916, and "The Gradual and Progressive Codification of International Law," *Am. Jour. Internat. Law*, XXI (July, 1927), 417-50, and his report to the Carnegie Endowment for International Peace in the Endowment's *Year Book* for 1912, pp. 126-28, and in successive *Year Books*. Professor Alvarez has an account of his own activities in promotion of American international law in "International Life and International Law in America, their Development during the Last Fifty Years," *Bulletin of the Pan American Union. Commemorative Issue of the Fiftieth Anniversary of the Pan American Union*, April, 1940, pp. 241-42.
  20. The relation of the Carnegie Endowment for International Peace to the Institute and the movement appears in the annual *Year Books* published by the Endowment.
  21. Alejandro Alvarez, *La codificación del derecho internacional en America, trabajos de la tercera comisión de la Asamblea de Jurisconsultos reunida en Santiago de Chile*, Santiago de Chile, Imprenta Universitaria, 1923.
  22. *The American Institute of International Law, op. cit.*, flyleaf.
  23. "Article 7 [Project 1].  
 "The States of America guarantee to foreigners in their territory all civil rights in like manner as to their own nationals, and especially:  
 "a). Inviolability of property so that nobody can be deprived of his possession or title except by judicial proceeding founded on law, or by expropriation also by law and previous indemnification.  
 "b). Liberty to enter and remain in any part of the State's territory, observing police regulations, without prejudice to immigration laws and the right of expulsion.  
 "c). The right to meet and associate for legal purposes.  
 "d). Freedom of the press.  
 "e). Freedom of worship.  
 "f). Freedom of conscience.  
 "g). Freedom of commerce, navigation and industry, subject to the laws of the respective country.  
 "h). Nobody can be judged except by courts indicated by law and established previously to the crime to be punished nor condemned without process of law and by virtue of a law promulgated for the act at judgment." Alvarez, *op. cit.*, p. 67.
  24. *The American Institute of International Law, op. cit.*, flyleaf.
  25. See full text at end of chapter.

## CHAPTER XIV

1. The idea of consulting the other governments concerned was suggested by Mr. Wilbur E. Carr, then Director of the Consular Service in the Department of

State, in a routine memorandum attached to Dr. Moore's letter of resignation, and approved by Assistant Secretary of State A. A. Adee. See also William Phillips, Undersecretary of State, to J. B. Moore, July 19, 1922. State Department Archives, 710.C2/121.

2. Department of State Archives, 710.C2/121a to 146.
3. At the instance of the United States it had been included by a sub-committee on program of the Governing Board of the Pan American Union, in a tentative agenda. *Ibid.*, 710.E12/14, 15. No objection appears to have been raised either by the United States or other states to its inclusion in the definitive agenda.
4. He was a member of that tribunal, 1928-1930.
5. Italics inserted. Instructions to the delegates of the United States of America to the Fifth International Conference of American States, Santiago, Chile. Washington, March 5, 1923. State Department Archives, 710.E002/68a.
6. *Verbatim Record of the Plenary Sessions of the Fifth International Congress of American States* [in English and Spanish], Santiago de Chile, 1923, I, 426-33.
7. For an early statement of Alvarez's views, with reference to antecedent expressions, see his "Latin America and International Law," in *Am. Jour. Int. Law*, *loc. cit.*, 270-353. His recent more general and popular account of "International Life and International Law in the Americas," in the *Bulletin of the Pan American Union*, *loc. cit.*, 232-62, has references to many of his publications before and since 1923. For an ungrudging enumeration of his contributions and activities see *Who's Who in Latin America*, Percy Alvin Martin, ed., 2d ed. 1940. Professor Alvarez published at Paris, in 1924, *Le nouveau droit international public et sa codification en Amérique, plan développé des matières d'un ouvrage en 2 volumes, devant paraître sous ce titre, et être présenté à l'Assemblée des Juristes Américains, à Rio de Janeiro en 1925, pour la Codification du Droit International*. This sketched in detail the basis of a monumental work and projects for codification which the author said he was preparing to have ready before the Commission of Jurists should convene at Rio de Janeiro. Soon he was engulfed with the activity of preparing, with Messrs. Anderson and Scott, in the summer of 1924, the projects of the executive council of the Institute. Regrettably, the great work never has appeared.

In 1916-1918 the Carnegie Endowment for International Peace appointed Professor Alvarez to deliver at various American universities and learned societies a series of lectures on *International Law and Related Subjects from the Point of View of the American Continent*, Carnegie Endowment, Washington, 1922.

8. Alvarez, *Codificación*, *op. cit.*
9. *Verbatim Record of Plenary Sessions*, II, 342. The Conference passed a resolution of homage to Professor Alvarez.
10. State Department Archives, 710.C2/155.
11. On November 10, 1923, Secretary of State Hughes instructed the United States Embassy to inform the Brazilian Government of the appointment of Messrs. Reeves and Scott as delegates to the 1925 meeting of the Commission of Jurists. State Department Archives, 710.C2/151a. The actual appointments seem to have been made on November 1, 1923. *Ibid.*, 710.C2/151.
12. James Brown Scott, "The Codification of International Law," *Am. Jour. Int. Law*, XVIII (April, 1924), 270. Dr. Scott solemnly explains in this article that in transmitting the resolution to the president of the Institute the chairman of the Governing Board of the Pan American Union, Secretary Hughes, expressed the hope that the suggestion might have the approval of the executive council of the Institute.

13. The first meeting of the Institute in connection with the Second Pan American Scientific Congress afforded a convenient precedent.
14. Professor Alvarez resided at this time in Paris, a member of the faculty of the Institut des Hautes Etudes Internationales. Doctor Bustamante was a justice of the Permanent Court of International Justice at The Hague. Dr. Anderson was attending the meeting of the Institute of International Law (not the American Institute of International Law) in Europe; and Dr. Scott was attending the meeting of the American Bar Association in London.  
 Dr. Reeves, Dr. Scott's colleague on the Commission of Jurists, was in Europe that summer, as a lecturer at the Academy of International Law at The Hague (another Carnegie Endowment achievement), but he does not appear, in the archival record, to have been consulted. He was not a member of the American Institute of International Law.
15. *Informal Conversations of Lima, December 20-31, 1924*, Carnegie Endowment for International Peace, Washington, 1925. For the code of the Executive Council see *Revista de Derecho Internacional, organo del Instituto Americano de Derecho Internacional*, año III, número extraordinario, tomo VI, Habana, noviembre, 1924.
16. The Carnegie Endowment for International Peace appears to have provided for the expenses of travel and maintenance of the members going to the special meeting of the Institute at Lima. "The meeting of the members of the American Institute would have been impossible, had it not been for the material support of the Carnegie Endowment for International Peace, and, therefore, the success of the labors of the Institute is of interest to the Trustees." *Carnegie Endowment for International Peace, Year Book, 1926*, no. 15, Washington, 1926, p. 74. An item of \$25,557.40 appears in the report of the treasurer for the fiscal year ended June 30, 1925, as having been disbursed under "American Institute of International Law," and \$6,100 for the *Revista de Derecho Internacional*, organ of the American Institute, which, with other journals of international law, depended on subventions from the Endowment.
17. Dr. Bustamante did not sign the projects. He was laboring on a code of private international law to present to the jurists at Rio, and felt that his contribution to the projects of public law was too insignificant to take credit for himself by signing them. In his letter to the President of the Institute of December 8, 1924, he said: "The work which has been accomplished in such an exceedingly short time by yourself and our eminent friends Messrs. Alvarez and Anderson, constitutes an achievement of honor for the Institute and for America and will undoubtedly be the basis of our international Pan American legislation." *Informal Conversations of Lima*, p. 6. Italics inserted.
18. The one on "The acquisition and loss of territory."
19. The projects, with ancillary material of great historical value, are printed in *Codification of American International Law*, "Projects of conventions prepared at the request on January 2, 1924, of the Governing Board of the Pan American Union for the consideration of the International Commission of Jurists, and submitted by the American Institute of International Law to the Governing Board of the Pan American Union, March 2, 1925," Pan American Union, Washington, 1925.
20. "I do not know to what extent, if at all, the thirty projects prepared by the American Institute of International Law were considered by the Department before they were submitted to the Commission of Jurists. They apparently were not considered by the legal office." Memorandum of the Solicitor dated the

twenty-first of November, 1927, of 101 typed pages of foolscap on "Projects for the codification of international law recommended by the Commission of Jurists for transmission to the Sixth Pan American Conference." State Department Archives, 710.C2/265 1/6.

In presenting the projects, Mr. Hughes praised the effort of the Institute, but stressed the fact that all action by conference, other than procedural, must be *ad referendum* to the governments concerned. *Codification of American International Law, Addresses by Charles Evans Hughes, James Brown Scott, Elihu Root, Antonio Sánchez de Bustamante y Sirvén*, Washington, 1926, p. 10.

21. *Ibid.*, 710.C2/265 1/6.

22. The full text of Article 1 is as follows:

"The following principles are declared to constitute American Public Law and shall be applied and respected in America by all Nations:

"1. The American Republics, equal before international law, have the rights inherent in complete independence, liberty, and sovereignty. Such rights can in no way be restricted to the profit of another Nation, even with the consent of the interested American Republics.

"2. No American Republic can cede away any part whatever of its territory to a non-American nation, even if it consents to do so.

"3. No nation shall hereafter, for any reason whatsoever, directly or indirectly, occupy even temporarily any portion of the territory of an American Republic in order to exercise sovereignty there, even with the consent of the said republic.

"4. No nation has a right to interfere in the internal or foreign affairs of an American Republic against the will of that Republic. The sole lawful intervention is friendly and conciliatory action without any character of coercion."

23. State Department Archives, 710.C2/213. The memorandum is stamped as received on March 19, 1927, bears a penciled notation, "by Dr. Reeves," and is further stamped "Asst. Secretary, Mr. Olds, March 19, 1927." The passages above italicized are scored on the margin in red, apparently by somebody in the Department.

24. Postponement of the meeting of the Commission of Jurists until April, 1927, had resulted in its assembly following the third regular meeting of the American Institute of International Law at Montevideo in March, 1927. Messrs. Reeves and Scott attended this meeting as delegates of the component organization in the United States, the American Society of International Law, but not as delegates of the United States Government, which refused to commit itself in any way to their participation in the Montevideo meeting, where Dr. Scott introduced a resolution to proceed immediately (rather than gradually and progressively, as some other delegations preferred) with the codification of international law.

25. See *International Commission of American Jurists, 1927 Meeting*, 4th volume, Ministry of State for Foreign Affairs, Rio de Janeiro, 1927; and J. B. Scott, "The Gradual and Progressive Codification of International Law," *Am. Jour. Int. Law*, XXI (July, 1927), 417-50.

26. The Argentine, Dominican, and Mexican delegations in the Commission of Jurists had presented the following propositions embodying still more sweeping prohibitions of intervention, which were not accepted by the commission:

The Argentine proposal: "No State can interfere in the domestic affairs of another State, nor can it interfere in its foreign affairs."

The Dominican and Mexican proposal: "From now on, no State may even temporarily occupy, neither directly no [*sic*] indirectly, nor for any reason whatsoever, any part of the territory of another State. The consent given by

said State to the one that occupies it will not legitimize the occupation and occupying State will be responsible for all facts arising out of the occupation, both as regards the occupied State and third parties."

*International Commission of American Jurists, 1927 Meeting*, Eng. ed., IV, 9-10.

The essence of these propositions was later adopted at Montevideo and Buenos Aires in 1933 and 1936.

27. Report of Delegates Reeves and Scott, June 10, 1927. State Department Archives, 710.C2/240.
28. "[There are] certain articles to which Mr. Keiser [Robert L. Keiser, a foreign service officer then serving a tour of duty in the Division of Latin American Affairs] thinks the Department may find it necessary to object when they come up for discussion in Habana. Some of them will, I believe, be found unobjectionable when subjected to discussion. Many of them are taken directly from the 'Codification of American International Law' submitted by the American Institute of International Law to the Pan American Union in March, 1925. While these projects were not formally approved by the Department they were apparently not disapproved of and were submitted with a discourse by Mr. Hughes."
- Memorandum from Mr. Morgan, Division of Latin American Affairs, to Assistant Secretaries Olds and White, June 16, 1927. State Department Archives, 710.C2/244 1/2.
29. State Department Archives, 710.C2/209.
30. These opinions were based in large part upon the memorandum of the Solicitor [J. Reuben Clark, Jr.] for the Department of State of October 5, 1912, cited above, on the *Right to Protect Citizens in Foreign Countries by Landing Forces*, printed in 3d revised edition, with supplemental appendix up to 1933. This established the right of intervention under certain conditions in international law, and distinguished particularly between "political intervention," disturbing the sovereignty of a state, and non-political intervention (interposition) to protect citizens against injustice. During the Havana Conference Mr. Hughes telegraphed to the Department of State for a copy of the Clark memorandum on "intervention, etc." 710.C2/266.
31. State Department Archives, 710.C2/265 1/6.

The Solicitor noted in his 101-page memorandum the following questionable innovations: Provisions for appeal to Pan American Union by States which consider their rights in international law to be violated (I). Exemption from military service of foreign nationals who have taken out first papers (III, 5). Validity of forced loans on foreigners as well as nationals (III, 6). Denial of diplomatic protection to foreigners who meddle in domestic politics (V, 7) [no matter how falsely accused, unjustly condemned, or outrageously or barbarously punished]. Requirement for immediate publication of treaties after exchange of ratification (IV, 4). Reciprocal acceptance of all amendments or reservations of treaties (IV, 8). Annulment of treaties if incompatible with new constitutions (IV, 11). Right to abrogate a treaty *in toto* by denunciation by a state entitled to a benefit thereunder (IV, 14). Sanction of all treaties by reference to the decision of a court of international justice, or of arbitration, in case of not being settled by diplomacy: denouncement of treaties in effect at the will or even whim of one of the parties (IV, 15). Exchange of government publications (V). Exchange of professors and students (VI). Certain technical details concerning the status of diplomatic agents (VII), and consuls (VIII). Certain comparatively minor technicalities concerning the convention of mari-

time neutrality (IX). Breathing new life into the dying principle of asylum for political offenders (X). Principle that a rebellion or insurrection remains entirely a matter of municipal public law until the party in rebellion is recognized as a belligerent (XI). Pan American tribunals of conciliation, and of arbitration (XII).

32. President Coolidge sought the suggestions of his Ambassador to Mexico, Dwight Morrow, who was one of the delegates to Havana, for points to be put in his speech. Morrow telegraphed about 1000 words of carefully rounded "ghost" text, stressing fundamental moral rights and the conscience of mankind in international law, and recommending the first sixteen pages of John Bassett Moore's *Principles of American Diplomacy* [1918]. Morrow stated "Rights and duties must be correlative if law is to supplement caprice." The President used this point, but did not avail himself of the rest of Morrow's abundant phraseology. State Department Archives, 710.F/192a.
33. The delegation was, in the order recited in their instructions: Charles Evans Hughes, Chairman; Noble Brandon Judah, Ambassador to Cuba, a distinguished officer in the American Expeditionary Force during the First World War; Henry P. Fletcher, Ambassador to Italy, who had been Chairman of the United States delegation to the previous Fifth Pan American Conference at Santiago in 1923, and had served as Ambassador to Chile and to Mexico; Oscar W. Underwood, Senator and minority leader in the Committee on Foreign Relations; Dwight W. Morrow, Ambassador to Mexico; Morgan J. O'Brien, a New York lawyer who was an eminent Catholic layman and had served as Justice on the Supreme Court of the State of New York; James Brown Scott, trustee and secretary of the Carnegie Endowment for International Peace, director of its Division of International Law, one of the triumvirate who had drafted the thirty projects of codes presented by the American Institute of International Law, of which he was president; Ray Lyman Wilbur, President of Stanford University; Leo S. Rowe, Director of the Pan American Union.
34. Instructions of Frank B. Kellogg, Secretary of State, to the Delegates of the United States of America to the Sixth International Conference of American States, Havana, Cuba, January 5, 1928. State Department Archives, 710.F002/191a.

The American Federation of Labor urged Mr. Hughes to attach to the United States delegation in an advisory capacity a representative of organized labor to speak from the standpoint of workers not only of the United States but of the other countries which were to participate in the Havana Conference. Mr. William Green in a letter to Mr. Hughes of February 17, 1928, urged precisely the two proposals to which the United States Government was most opposed:

"The working people of the United States are firmly convinced that cordial and friendly relations can only be established and maintained between all countries represented in the Pan American Union through the development of a perfect understanding that the government of the United States will not at any time interfere in the affairs of any Latin-American nations, and will not, either directly or indirectly, encroach upon their sovereign or territorial rights. Such a guarantee should be absolute, without reservations, and should be made in such a way as to remove all doubt in the minds of all people who reside within all countries represented in the Pan American Union. . . .

"The [hope] that the United States will again adopt the policy which in the main it adhered to during the first century of our national life, a policy based upon the proposition that Americans and so-called American interests in foreign

countries must abide and accept the consequences of the laws of those countries, just as foreigners and foreign interests within our borders must abide and accept the consequences of American law." State Department Archives, 710.F002/259.

These suggestions correspond closely to the propositions introduced at the Rio meeting of the Commission of Jurists by Argentina, and by Mexico and the Dominican Republic.

This crystallizing interest of organized labor in the United States, in the Latin American policy of the United States, was to become a powerful influence after the advent of the New Deal in 1933.

35. "It appeared," wrote Dr. Scott, a member of the United States delegation, "from the animated discussion on the 4th of February [1928], in which each delegation expressed the views of its members, that they were individually and collectively in favor of accepting the rights, but not so eager to impose upon themselves the duties." "The Sixth International Conference of American States, Held at Havana, January 16-February 20, 1928, a Survey," *International Conciliation*, no. 241 (June, 1928), p. 25.
36. Charles P. Howland, *Survey of American Foreign Relations, 1929*, Yale University Press, 1929, p. 298.
37. Thirteen states made strong declarations in favor of nonintervention. It required a two-thirds majority to introduce new subjects into the Conference.
38. In an address on "The Centenary of the Monroe Doctrine," *Annals of the American Academy of Political and Social Science*. A Supplement to Vol. XCI (January, 1924), p. 5.
39. *Report of the Delegates of the United States of America to the Sixth International Conference of American States held at Havana, Cuba, January 16 to February 20, 1928*, Washington, 1928. This report does not include the lengthy stenographic minutes of the debates of the sub-committee on the vital question of intervention, which I have looked at.
40. *Actas de las sesiones plenarias de la Sexta Conferencia Internacional Americana*, inaugurada en la Habana, el día 16 de enero de 1928. Habana, 1933.  
For Mr. Hughes' public speeches at Havana, and other sources, see *Sixth International Conference of American States, Havana*, "Hearings before the Committee on Foreign Affairs, H. R., 70th Cong., 1st sess. on H. J. Res. 220, a resolution tendering the thanks of the American people . . . to Charles E. Hughes, March 27, 1928," Washington, 1928.
41. To the Chamber of Commerce of Havana, January 21, 1928. *Ibid.*, pp. 19-20.
42. *Report of the Delegates to the Sixth International Conference*, p. 14.
43. *Ibid.*
44. The Gondra Convention signed in 1923 at the Fifth (Santiago) Pan American Conference provided for the creation of *ad hoc* commissions of inquiry of five members, all nationals of American states (two appointed by each disputant, only one of whom could be a national, and an umpire chosen by the other four), who were to inquire into the controversy and publish a non-compulsory report thereon, within one year. During that year (established by majority vote) each disputant was obligated not to undertake hostile acts or preparation for hostilities; and a period of six months after the report of the commission allowed time for renewed negotiations before the parties recovered entire freedom of action.

This was really a Bryan "cooling-off" conciliation treaty on a multilateral basis. Its weakness was that it might be possible for one party to a dispute to



frustrate conciliation by refusing to cooperate in the organization of the conciliation commission *ad hoc*.

- The Washington (1929) inter-American treaty of conciliation gave not only to the *ad hoc* commission but also to the permanent commissions erected according to the Gondra Convention, powers of conciliation as well as inquiry and report. The United States ratified the treaty February 28, 1929. Thus if a disputant refused to cooperate in the organization of an *ad hoc* commission, one of the permanent commissions could enter with an attempt at conciliation.
45. For complete text of the inter-American treaties of conciliation and arbitration of January 5, 1929, and the reservations of the signatories, see *Conferencias internacionales Americanas, 1889-1936*, Dotación Carnegie para la paz internacional, Washington, 1938, pp. 569-87. For ratifications to May, 1940, see *Perfeccionamiento de los Instrumentos de Paz*, Tomo III, Union Panamericana, Washington, D. C., 1940, p. 127.
  46. It is curious and significant how this vitally important feature, of a majority consisting of Latin American arbitrators, of the arbitration treaty escaped the attention of contemporary commentators in the United States. See for example: the report of the *Foreign Policy Association, Information Service*, Vol. V, No. 18 (November 13, 1929), on "The Pan-American Arbitration Treaty"; and the meager mention by Charles P. Howland, *op. cit.* James Brown Scott's comment on this feature, in *Am. Jour. Int. Law*, XXIII (July, 1929), 152, was merely: "This is as it should be."
  47. Resolution of February 18, 1928, of Sixth International American Conference.

## CHAPTER XV

1. *Foreign Affairs*, VI (July, 1928), 573-86.
2. *Ibid.*
3. See below, p. 277.
4. Henry L. Stimson, *The Far Eastern Crisis: Recollections and Conversations*, New York, 1936, p. 226. Griswold, *op. cit.*, p. 436.
5. The Governing Board of the Pan American Union, acting upon the motion of the Ambassador of Brazil, Dr. S. Gurgél do Amaral, by resolution of May 7, 1930, recommended to the twenty-one Republics the observance of April 14 as "a commemorative symbol of the sovereignty of the American nations and the voluntary union of all in one continental community." The Presidents of each one of the Republics carried out the suggestion by appropriate proclamations.
6. ". . . Friendship among Nations, as among individuals, calls for constructive efforts to muster the forces of humanity in order that an atmosphere of close understanding and cooperation may be cultivated. It involves mutual obligations and responsibilities, for it is only by sympathetic respect for the rights of others and a scrupulous fulfillment of the corresponding obligations by each member of the community that a true fraternity can be maintained. . . . In this spirit the people of every Republic on our continent are coming to a deep understanding of the fact that the Monroe Doctrine . . . was and is directed at the maintenance of independence by the peoples of the continent. It was aimed and is aimed at the acquisition in any manner of the control of additional territory in this hemisphere by any non-American power. . . . Your Americanism and mine must be a structure built of confidence, cemented by a sympathy which recognizes only equality and fraternity. . . . It is of vital interest to every

Nation of this Continent that the American Governments, individually, take, without further delay, such action as may be possible to abolish all unnecessary and artificial barriers and restrictions which now hamper the healthy flow of trade between the peoples of the American Republics." *The Public Papers and Addresses of Franklin D. Roosevelt, with a Special Introduction and Explanatory Notes by President Roosevelt*, New York, 1938, II (1933), 130-31.

7. "Conceiving a Latin American policy constructed on this foundation, Secretary Hughes, during the four years he remained in office, succeeded in establishing beyond doubt that the Monroe Doctrine 'does not stand in the way of Pan American cooperation,' but rather that it affords 'the necessary' foundation for that cooperation in the independence of the American States." *Naboth's Vineyard*, II, 925.
8. Arnold J. Toynbee, *Survey of International Affairs*, 1933, London, 1934, pp. 410-18.
9. *Public Papers and Addresses*, II (1933), *op. cit.*, 185-88.
10. *Diplomatic History of the United States*, pp. 760-62, with acknowledgments to Henry Holt and Company for these passages.
11. *Proceedings of the International Conference of American States on Conciliation and Arbitration Held at Washington, December 10, 1928-January 5, 1929*, Washington, 1929.
12. Above, p. 224.
13. Alberto Ostria Gutierrez has traced the historical precedents of the doctrine of nonrecognition of territorial conquests in his instructive book, *La doctrina del no-reconocimiento de la conquista en America*, Rio de Janeiro, 1938. He relates (pp. 19-35) how Stimson proposed that the Commission of Neutrals invite the nineteen neutrals to make the Declaration of August 3, 1932, after first having sounded out the Argentine, Brazilian, Chilean, and Peruvian Governments. See also the learned discussion of this doctrine by Quincy Wright, H. Lauterpacht, Edwin M. Borchard, and Phoebe Morrison in relation particularly to *Legal Problems in the Far Eastern Conflict*, Institute of Pacific Relations, New York, 1941.
14. Declaration of August 6, 1932, signed in Buenos Aires by Argentina, Brazil, Chile, and Peru. *La política argentina en la guerra del Chaco*, Ministerio de Relaciones y Culto, Buenos Aires, 1937, I, 392-93.
15. League of Nations, *Official Journal*, December, 1932, pp. 1945-52.
16. The Argentine Government, in November, 1932, released the correspondence, which took place during the months of September, October, and November. See *La Prensa*, Buenos Aires, November 16, 18, 19, 1932. An Argentine blue-book later published the official texts, including translations of the exchanges between Mr. White and the League of Nations, without precise dates, in *La política argentina*, *op. cit.*, I, 414-42.
17. *La Prensa*, Buenos Aires, December 23, 1932. According to the Geneva correspondent of this well-informed newspaper, the Minister asserted orally to the Secretariat of the League that the Washington Commission of Neutrals had no legal power; this belonged to the League of which both Bolivia and Paraguay were members; and suggested that the League had better take up the matter. If this statement were made, it ignored the legal basis of the Washington Conference on Conciliation and Arbitration (not attended by Argentina), which had created the Commission and which stemmed from the Havana Pan Amer-

- ican Conference of 1928; and it passed over the fact that both belligerents had accepted negotiations with the Commission of Neutrals.
18. The text of the project, with an extensive official commentary, was released to the Argentine press by the Foreign Office on November 18, 1932. The Argentine Embassy in Washington translated these documents and published them in English in Washington, in September, for communication to the United States Government. A copy of this publication is in the Yale Law Library.
  19. Francis White, Secretary of the Commission of Neutrals, to Felipe Espil, Argentine Ambassador at Washington, November 4, 1932. *Política argentina, op. cit.*, 433-37.
  20. The Havana Resolution of February 18, 1928, had declared all aggression illicit and as such prohibited. The Kellogg-Briand Pact of August 27, 1928, had renounced war as an instrument of national policy, so had the preambles of the Washington treaties of conciliation and arbitration of January 5, 1929. The "Stimson Doctrine" of January 7, 1932 (reaffirmed by the Resolution of the League of Nations Assembly of March 11, 1932), and the Declaration of August 3, 1932, had pledged refusal to recognize territorial acquisitions made by force.
  21. The Executive acceded to the League in 1919, without a vote of Congress, which later delayed appropriations. Owing to the failure of the First Assembly of the League to adopt certain proposals made by the Argentine delegation, including some for amending the Covenant, the delegation withdrew from the Assembly in 1920. Manley O. Hudson presented an authoritative discussion of "The Argentine Republic and the League of Nations," in *Am. Jour. International Law*, XXVIII (January, 1934), 125-33.
  22. *La Prensa*, Buenos Aires, September 27, 1932; *New York Times*, September 28, 1932.  
Mexico, when accepting an invitation to membership in the League in 1931, had made this reservation: "Mexico thinks that it is necessary to state when accepting that she has never recognized the regional understanding mentioned in Article XXI of the Covenant."
  23. The League suggested a peace conference at Rio de Janeiro between Colombia and Peru. Under the presidency of Mr. Mello Franco, Brazilian Foreign Minister, a protocol of settlement was signed May 24, 1934, by which Colombia retained the territory, and the two countries agreed to submit any further disputes over the question to the Court of International Justice. They ratified the protocol, belatedly, September 27, 1935.
  24. Minutes of the Governing Board of the Pan American Union, January 4, 1933. At this meeting Secretary Stimson, Chairman of the Board, was absent, having been called into conference by the President of the United States. Assistant Secretary of State Francis White represented the United States. The Minister of Guatemala presided as Acting Chairman. For formal Chilean initiative see also opening explanations of Chairman Miguel Cruchaga Tocornal of Committee I at the Montevideo Conference, December 6, 1933. *Seventh International Conference of American States, Minutes and Antecedents with General Index*, Montevideo, 1933, C. I, p. 8.
  25. Minutes of the Governing Board of the Pan American Union for May 31, 1933. At this meeting of the Governing Board Secretary Hull was absent attending the World Economic Conference at London. The Minister of Guatemala presided

as Acting Chairman. Undersecretary of State William Phillips represented the United States.

26. The other plenipotentiaries of the United States delegation were J. Reuben Clark, Jr., Republican author of the Clark Memorandum on the Monroe Doctrine, a most significant appointment; Alexander W. Weddell, recently appointed Ambassador to the Argentine Republic; J. Butler Wright, Minister to Uruguay since 1930; Spruille Braden, a financier with extensive experience in Latin America; and Miss Sophonisba Breckenridge, a professor of sociology at the University of Chicago.
27. "When our delegates, acting under the instruction of President Roosevelt, figuratively took off their coats, invited the other delegates into their confidence, and dispensed with all possible formality in approaching the work of the Conference, an immediate response was evoked." Statement of Secretary Cordell Hull upon his return to Washington, January 21, 1934. *Addresses and Statements by the Honorable Cordell Hull in Connection with his Trip to South America, 1933-1934*, Department of State Publication No. 694, Washington, 1935, p. 84.
28. Ernest Gruening, "Our New Latin American Policy," *Forum*, XCI (March, 1934), 140-44. Gruening was a journalist of much experience in Latin America (see *Mexico and its Heritage*, *op. cit.*), who felt that Hull's commitments at Montevideo were only a first step in a new Latin American policy, still to be validated by the Administration.  
See also the article by the journalist and missionary, Samuel Guy Inman, "The New Deal at Montevideo," *Nation*, CXXXVIII (January 24, 1934), 97-99.
29. *Report of the Delegates of the United States of America to the Seventh International Conference of American States, Montevideo, Uruguay, December 3-26, 1933*. Washington, 1934, p. 8.
30. *Minutes and Antecedents of the Seventh Conference*, *op. cit.*, C. I, p. 23.
31. Harold B. Hinton, *Cordell Hull, a Biography*, New York, 1942, pp. 247-48.  
I have verified this conversation independently.
32. *Report of the Delegates of the United States to the Seventh Conference*, *op. cit.*, p. 8.
33. This was the second sub-committee of the Second Committee of the Conference on Problems of International Law. While all states members of the Conference were represented on the Second Committee, which controlled its second sub-committee, only the following states sat on the second sub-committee: Brazil, Chile, Colombia, Ecuador, Haiti, Peru, El Salvador.
34. *Minutes and Antecedents of the Seventh Conference*, C. II, 104. Italics in the quotation above are inserted.
35. "I am safe in the statement that each of the American nations wholeheartedly supports this doctrine—that every nation alike earnestly favors the absolute independence, the unimpaired sovereignty, the perfect equality, and the political equality of each nation large and small, as they similarly oppose aggression in every sense of the word." Cordell Hull's "Peace Address" to the Sixth Session of the First Committee, December 15, 1933. *Minutes and Antecedents of the Seventh Conference*, C. I, p. 24.
36. *Report of the Delegates of America to the Seventh International Conference of American States, Montevideo, Uruguay, December 3-26, 1933*, pp. 170-72. See also *Minutes and Antecedents of the Seventh Conference*, C. I, 23-25, slightly garbled.
37. Costa Rica did not send a delegation to the Conference.
38. The reservations when presented in Committee by Secretary Hull applied to the

first ten articles which were voted on separately. In repeating the reservation in plenary session, he attached it to the whole convention, thus including Article XI containing the obligation not to recognize territorial acquisitions nor special advantages which had been obtained by force or coercion.

39. For text see *International Conferences of American States, First Supplement, 1933-1940*, pp. 84-87.

## CHAPTER XVI

1. Before proclaiming this treaty the President waited until Argentina and Chile had ratified it, thus bringing it into effect between at least two of the original signatories. On March 11, 1936, he proclaimed the adherence of the United States had become effective (according to Article XV of the treaty) thirty days after it came into force between Argentina and Chile, namely, on November 13, 1935.

All the republics of the New World are now parties to this treaty. Bulgaria, Czechoslovakia, Finland, Roumania, Spain, and Yugoslavia deposited ratifications of adherence between 1935 and 1938. Greece, Italy, Norway, and Portugal adhered, and ratified by their domestic processes, but did not complete ratification by the deposit of ratification of adherence in the Foreign Office of the Argentine Republic as required by the treaty. *Inter-American Peace Instruments, op. cit.*, III, 131.

Ironically enough, Italy, first to violate the principles of the treaty as well as of the Covenant of the League of Nations and the Kellogg-Briand Pact of Paris, in 1935 by the attack on Ethiopia and subsequent conquest, was the first to ratify adherence by domestic process.

Ironically enough, the Argentine Government was the first to violate in principle the treaty of its own conception, the only inter-American peace treaty it had ever ratified, by accrediting an ambassador in 1938, to the King of Italy and Emperor of Ethiopia, thus recognizing Italian intervention and conquest, in violation of Articles I, II, and III of the Anti-War Treaty of Non-aggression and Conciliation.

2. "It therefore has seemed clear to me as President that the time has come to supplement and to implement the declaration of President Wilson by the further declaration that the definite policy of the United States from now on is one opposed to armed intervention.

"The maintenance of constitutional government in other Nations is not a sacred obligation devolving upon the United States alone. The maintenance of law and of the orderly processes of government in this hemisphere is the concern of each individual Nation within its own borders first of all. It is only if and when the failure of orderly processes affects the other Nations of the continent that it becomes their concern, and the point to stress is that in such an event it becomes the joint concern of a whole continent in which we are neighbors." Address before the Woodrow Wilson Foundation, December 28, 1933.

"We have, I hope, made it clear to our neighbors that we seek with them further avoidance of territorial expansion and of interference by one Nation in the internal affairs of another." Annual Message to Congress, January 3, 1934.

*Public Papers and Addresses, op. cit.*, II (1933), 545-46, III (1934), 11.

3. Toynbee, *Survey*, 1933, in his excellent summary of Cuban-American relations, tabulates investments of United States nationals as follows:

*Value (in millions of dollars)*

Cuban Government bonds.....	\$ 103
Cuban Non-Government bonds.....	3
Sugar plantations and <i>centrales</i> .....	544
Fruit and agriculture.....	35
Petroleum distribution .....	10
Manufacturing enterprises .....	45
Railroads, including sugar lines.....	120
Public utilities .....	100
Miscellaneous .....	80
Total .....	<hr/> \$1040

The United States Department of Commerce in 1924 estimated the total at \$1,360,000,000. For other estimates, see R. H. Fitzgibbon, *Cuba and the United States, 1900-1935*, Menasha, Wisc., 1935, pp. 228-50.

4. Professor Portell Vilá, *op. cit.*, takes the United States to task for not transforming Cuba from a one-crop country during the intervention of 1899-1902. Such a revolutionary transformation could not have been achieved in the island's economy without much greater and longer intervention in Cuban affairs, which that writer would be the first to castigate.
5. See above, Chapter VIII, p. 138, note 27.
6. *Minutes and Antecedents of the Seventh Conference*, C. II, 105-6. See also Portell Vilá, *Historia*, *op. cit.* In a pamphlet published at Havana in 1934, *Cuba y la Conferencia de Montevideo*, Professor Portell Vilá related the achievements of the Cuban delegation to Montevideo, appointed by Ramón Grau San Martín, "President of the Cuban Republic in the Cuban Government for the Cuban people, which disavowed the Platt Amendment and brought to triumph at Montevideo the principle of Nonintervention." If one read only this pamphlet on the subject, and were sufficiently credulous, one would gain the impression that the victory of Nonintervention at Montevideo and the abrogation of the Platt Amendment were principally the work of the Cuban delegation.
7. Toynbee, *Survey*, 1933, p. 373.
8. Letter of Secretary of State Henry L. Stimson to Representative Hamilton Fish of Committee of Foreign Affairs of House of Representatives, *New York Times*, January 27, 1933, p. 11.
9. In an interview published in the *New York Times*, October 29, 1933.
10. Toynbee, *Survey*, 1933, *op. cit.*, p. 385-87.
11. *New York Times*, September 7, 1933. *Press Releases*, Department of State Publication No. 500 (September 9, 1933).
- Toynbee, *Survey*, 1933, *op. cit.*, p. 383.
12. *Minutes and Antecedents of the Seventh Conference*, C. II, 113.
13. Sergeant Batista, leader of the successful army *golpe de cuartel*, promoted himself to Colonel.
14. For proliferation of this feeling against the Tobar Doctrine, which had come to be identified with the United States and which the Mexican Minister of Foreign Affairs, Genaro Estrada, opposed with a contrary doctrine in 1930, see the compilation, *La opinión universal sobre la Doctrina Estrada expuesta por el Gobierno de Mexico, bajo la presidencia de Don Pascual Ortiz Rubio*, Publica-

- ciones del Instituto Americano de Derecho y Legislacion Comparada, Mexico, D. F., 1931.
15. Argentina had not ratified the Gondra Treaty of Conciliation of 1923.  
 Argentina, Bolivia, and El Salvador had not ratified the Kellogg-Briand Pact of Paris of 1928.  
 Argentina, Costa Rica, and Venezuela had not ratified the General Convention of Inter-American Conciliation, of Washington, of 1929.  
 Argentina, Bolivia, Costa Rica, Paraguay, and Uruguay had not ratified the General Treaty of Inter-American Arbitration of Washington of 1929.  
 All the American republics had ratified the Saavedra Lamas Anti-War Treaty of Nonaggression and Conciliation of 1933.
  16. Letter of President Roosevelt to President Justo of Argentina, January 30, 1936, proposing a special inter-American Conference at Buenos Aires, *Public Papers and Addresses*, VI (1936), 72-73.
  17. *Public Papers and Addresses*, *op. cit.*, VI (1936), 74.
  18. The delegation consisted of Cordell Hull, Secretary of State; Sumner Welles, Undersecretary of State; Alexander W. Weddell, Ambassador of the United States to Argentina; Adolf A. Berle, who at the moment held the title of Chamberlain of the City of New York, and was a close adviser of the Roosevelt Administration, particularly in economic and financial matters; Alexander F. Whitney, President of the Brotherhood of American Railway Trainmen; Charles G. Fenwick, Professor of International Law at Bryn Mawr College; Michael Francis Doyle, a Philadelphia lawyer and member of the Permanent Court of International Arbitration; Mrs. Elise F. Musser, member of the Utah State Legislature, a prominent social welfare worker and feminist, naturalized since 1911. It is to be observed that in addition to the professional and technical talent, the delegation, as has been customary for conferences of this kind, reflected representatives of different political complexions and religious faiths. It was the first time that a labor leader served in this capacity. The student of the Conference should not overlook the *Report of the Delegation of the United States of America to the Inter-American Conference for the Maintenance of Peace, Buenos Aires, Argentina, December 1-23, 1936*, Department of State Publication No. 1088, Washington, 1937; nor the similar reports of the other delegations.
  19. Carlos Saavedra Lamas published the Spanish text of the project in his *La Conferencia Inter-Americana de Consolidación de la Paz*, Buenos Aires, Imprenta Nacional, 1938. An English translation of the project, with official commentary, was published in Washington, D. C., in May, 1936, under the title, *Draft of a Convention for the Maintenance of Peace, a Contribution to the Labors of the Forthcoming Inter-American Peace Conference, by His Excellency the Minister of Foreign Affairs of the Argentine Republic, Dr. Saavedra Lamas*. Presumably the Argentine Embassy published this. There is a copy in the Library of the Yale School of Law.
  20. See text in Department of State *Press Releases*, XV, No. 375 (December 12, 1936). Philip C. Jessup published some interesting editorial comments on these drafts in *American Journal International Law*, XXXI (January, 1937), 85-91.
  21. This, in turn, was similar to the list in the Geneva Arms Traffic Convention of 1925, finally ratified by the United States in June, 1935.
  22. Italics inserted.
  23. Professor Charles G. Fenwick, a plenipotentiary of the United States delegation, summarized the diplomacy of "The Inter-American Conference for the Main-

tenance of Peace," in *Am. Jour. International Law*, XXXI, No. 1 (January, 1937), 201-26.

24. The Brazilian proposal read:

"Article I. The High Contracting Parties, firmly determined to defend the American Continent against the expansionist tendency of other peoples, declare that the doctrine of lack of raw materials, over-population or any other pretext gives right to acquire foreign territory, shall not be applicable to the Americas.

"Article II. The High Contracting Parties consider as an unfriendly act the intromission [*sic* in translation] of any noncontinental power in an American country with which said power has no preexisting relation of political dependence, provided that such intromission threatens the national security of that country or affects, directly or indirectly, its territorial integrity, or determines the use in any form or preponderant foreign influence on its destiny.

"Article III. The High Contracting Parties agree to communicate with one another at once for the common defense and protection of all, if the national security, territorial integrity or political independence of any American country should be threatened or endangered by any non-continental country.

"Article IV. The High Contracting Parties likewise consider as an unfriendly act the intromission of any one of them, whether directly or indirectly, whatever be the pretext, in the internal affairs of any one of the parties, even though it be on the pretext that the provisions of this Pact must be enforced. The High Contracting Parties, in the case of any violation of the provisions of this Article, agree to communicate at once with one another at the initiative of any one of the Parties."

*Inter-American Conference for the Maintenance of Peace, Proceedings*, Buenos Aires, Imprenta del Congreso Nacional, 1937, pp. 215-16. The Argentine Government also published an official Spanish *Diario* of the Conference.

25. For opinion in the United States see George H. Blakeslee's analysis of "A New Basis Needed for the Monroe Doctrine," *North American Review*, Vol. 198 (December, 1913), 779-89.

The Uruguayan statesman, Dr. Baltázar Brum (deceased 1933), had been an eminent Latin American exponent of this idea since his presidency in 1920. See his *American Solidarity*, Montevideo, Imprenta Nacional, 1920. Dr. Brum proposed to base a League of American Nations upon the Monroe Doctrine Panamericanized or "continentalized." The Uruguayan delegation brought forth such a proposal at the next Pan American Conference, the Fifth International Conference of American States, at Santiago de Chile in 1923. At that time the United States, under the Republican Restoration in reaction against Woodrow Wilson's League of Nations, gave no encouragement either to an American League of Nations or to any "continentalizing" of the Monroe Doctrine. Mr. Henry P. Fletcher, chairman of the United States delegation, declared that the Monroe Doctrine was "originally and essentially national." See Perkins, *Hands Off*, *op. cit.*, pp. 332-33.

26. Presumably this would include a signatory state that had not ratified the Convention. At least, so it worked out in the case of Argentina, at Panama in 1939, and Havana in 1940.
27. Italics inserted.
28. It will be observed that the words *or external* used in Article VIII of the Treaty on the Rights and Duties of States, had not been written into Article IV of the Brazilian project.



29. Percy Alva Martin, *Latin America and the War*, Baltimore, 1925, pp. 349-82.
30. John T. Humphrey, *The Inter-American System, a Canadian View*, Toronto, 1942, pp. 149-51, 153-59.
31. *Ibid.*
32. *Congressional Record, Senate*, June 29, 1937.
33. The Carnegie Endowment for International Peace has printed the text of all the inter-American treaties, conventions, resolutions, etc., from 1889 to 1940 inclusive in *The International Conferences of American States, 1889-1928*, New York, 1931, and *Ibid., First Supplement, 1933-1940*, New York, 1940.
34. "Article X. In case of an international conflagration or the existence of any threat of aggression which would endanger the security of the Republic of Panama or the neutrality or security of the Panama Canal the Governments of the United States of America and the Republic of Panama will take such measures for prevention and defense as they may consider necessary for the protection of their common interests. Any measures, in safeguarding such interests, which it shall appear essential to one Government to take, and which may affect the territory under the jurisdiction of the other Government, will be the subject of consultation between the two Governments." For the exchange of notes, and other data bearing upon the treaty, see *Senate Executive Report*, No. 5, 76th Cong., 1st Sess.
35. *El destino de un continente*, Nice, France, 1923. An English translation, with an editorial introduction by Professor J. Fred Rippy, was published in New York in 1925.
36. Quoted by J. F. Rippy from Salvador G. Merlos, *América Latina ante el peligro* (San Jose, Costa Rica, 1914) in "Literary Yankeeophobia in Hispanic America," *Journal of International Relations*, XII (1921-1922), 365-66.
37. Professor Dexter Perkins has given us a characteristically thoughtful analysis of the Monroe Doctrine in recent years in his recent notable book *Hands Off*, *op. cit.*, and "The Monroe Doctrine Today," *Yale Review*, XXX (1941), 686-702.

## CHAPTER XVII

1. Hinton's *Hull*, *op. cit.*, p. 210.
2. Statement of the United States Delegation to the press. London, June 22, 1933. Department of State *Press Releases*, No. 195 (June 24, 1933), 470.
3. "I would regard it as a catastrophe amounting to a world tragedy if the great Conference of Nations, called to bring about a more real and permanent financial stability and a greater prosperity to the masses of all nations, should, in advance of any serious effort to consider these broader problems, allow itself to be diverted by the proposal of a purely artificial and temporary experiment affecting the monetary exchange of a few nations only. Such action, such diversion, shows a singular lack of proportion and a failure to remember the larger purposes for which the Economic Conference originally was called together.  
 "I do not relish the thought that insistence on such action should be made an excuse for the continuance of the basic economic errors that underlie so much of the present world-wide depression.  
 "The world will not long be lulled by the specious fallacy of achieving a temporary and probably an artificial stability in foreign exchange on the part of a few large countries only.  
 "The sound internal economic system of a nation is a greater factor in its

well-being than the price of its currency in changing terms of the currencies of other nations." The President's communication of July 2, 1933. Department of State *Press Releases*, No. 197 (July 8, 1933), 15.

4. League of Nations *Journal of the Monetary and Economic Conference*, London, 1933, pp. 20-27, 241-42. For text of Secretary Hull's statement at the close of the session, see *The Monetary and Economic Conference*, a report of the International Chamber of Commerce (Paris, August, 1933), pp. 13-14; and Department of State *Press Releases*, No. 200 (July 29, 1933), pp. 63-68.
5. William Manger, "The Pan American Union at the Sixth International Conference of American States," *American Journal of International Law*, XXII (1928), 768. See also *Report of the Delegates of the United States*, *op. cit.*, p. 6.
6. "The Sixth Pan American Conference. Part I. Status of the Pan American Union," Foreign Policy Association, *Information Service*, IV, No. 4 (April 27, 1928), 59.
7. Items 10, 11, and 12 of Chapter V were proposed by the Cuban Ambassador at the session of the Governing Board of April 5, 1933, the last date at which member governments could propose new topics for the program of the Seventh International Conference of American States. After consideration by a subcommittee on program, the three topics were included in the definitive program, as approved by the Governing Board at its meeting of May 31, 1933. *Minutes of the Governing Board of the Pan American Union*, for meetings of April 5 and May 31, 1933.
8. Department of State *Press Releases*, No. 215 (November 11, 1933), p. 268.
9. *Addresses and Statements by the Honorable Cordell Hull, Secretary of State of the United States of America, in Connection with His Trip to South America (1933-1934) to Attend the Seventh International Conference of American States, Montevideo, Uruguay, Washington, 1933.*
10. *Seventh International Conference of American States*, *op. cit.*, C. IV, p. 20.  
The act authorizing the President to revalue the gold dollar to less than fifty cents was passed on January 30, 1934; and on January 31, 1934, the President fixed the value at 59.06 cents.
11. Nicholas J. Spykman so characterizes it in *America's Strategy in World Politics; The United States and the Balance of Power*, Yale Institute of International Studies, 1942, p. 267. For text of treaty see *League of Nations Treaty Series*, Vol. 143 (1933-1934), 69-156.
12. Virgil Salera has analyzed in great detail *Exchange Control and the Argentine Market*, Columbia University Press, 1941.
13. For text, see *International Conferences of American States, First Supplement, 1933-1940*, Carnegie Endowment for International Peace, Washington, 1940, pp. 20-22.
14. For these debates, see *Seventh International Conference of American States, Minutes and Antecedents*, *op. cit.*, Ninth Committee, pp. 87-106.
15. The President also had power under the tariff act of 1930 (continued from 1922) to levy retaliatory tariff increases of 50% above the statutory tariff against nations which discriminated against American commerce, and even to prohibit imports from such countries if the discrimination continued. This retaliation of increased rates was applied only to Germany.

16.

## TRADE AGREEMENTS CALENDAR

*Trade Agreements in Process of Negotiation**(From Department of State Press Releases May 7, 1942, revised to January 1, 1943)*

<i>Country</i>	<i>Date of Issuance of Public Notice</i>	<i>Latest Date for Submitting Written Statements</i>	<i>Opening Date of Public Hearings</i>
Chile <sup>1</sup> .....	Oct. 2, 1939	Nov. 11, 1939	Nov. 27, 1939
Iceland.....	Nov. 17, 1941	Dec. 8, 1941	Dec. 15, 1941
Iran.....	July 29, 1942	Aug. 22, 1942	Sept. 9, 1942
Bolivia.....	April 4, 1942	May 4, 1942	May 18, 1942

*Trade Agreements Signed**(In chronological order)*

<i>Country</i>	<i>Signed</i>	<i>Effective</i>
Cuba.....	Aug. 24, 1934	Sept. 3, 1934
Brazil.....	Feb. 2, 1935	Jan. 1, 1936
Belgium (and Luxemburg).....	Feb. 27, 1935	May 1, 1935
Haiti.....	Mar. 28, 1935	June 3, 1935
Sweden.....	May 25, 1935	Aug. 5, 1935
Colombia.....	Sept. 13, 1935	May 20, 1936
Canada (superseded by new agreement).....	Nov. 15, 1935	Jan. 1, 1936
Honduras.....	Dec. 18, 1935	Mar. 2, 1936
The Netherlands (including Netherlands Indies, Surinam and Curacao).....	Dec. 20, 1935	Feb. 1, 1936
Switzerland.....	Jan. 9, 1936	Feb. 15, 1936
Nicaragua <sup>1</sup> .....	Mar. 11, 1936	Oct. 1, 1936
Guatemala.....	April 24, 1936	June 15, 1936
France (including its colonies, dependencies and protec- torates other than Morocco).....	May 6, 1936	June 15, 1936
Finland.....	May 18, 1936	Nov. 2, 1936
Costa Rica.....	Nov. 28, 1936	Aug. 2, 1937
El Salvador.....	Feb. 19, 1937	May 31, 1937
Czechoslovakia <sup>2</sup> .....	Mar. 7, 1938	April 16, 1938
Ecuador.....	Aug. 6, 1938	Oct. 23, 1938
United Kingdom, Newfoundland, the British non-self- governing colonies and certain protectorates and pro- tected states and mandated territories.....	Nov. 17, 1938	Jan. 1, 1939
Canada (second agreement).....	Nov. 17, 1938	Jan. 1, 1939
Turkey.....	April 1, 1939	May 5, 1939
Venezuela.....	Nov. 6, 1939	Dec. 16, 1939
Cuba (first supplementary agreement).....	Dec. 18, 1939	Dec. 23, 1939
Canada (supplementary fox-fur agreement) <sup>3</sup> .....	Dec. 13, 1940	Dec. 20, 1940
Argentina.....	Oct. 14, 1941	Nov. 15, 1941
Cuba (second supplementary agreement).....	Dec. 23, 1941	Jan. 5, 1942
Peru.....	May 7, 1942	July 29, 1942
Uruguay.....	July 21, 1942	Jan. 1, 1943
Mexico.....	Dec. 23, 1942	Jan. 30, 1943

<sup>1</sup> The duty concessions and certain other provisions of this agreement ceased to be in force as of March 10, 1938.<sup>2</sup> The operation of this agreement was suspended as of April 22, 1939.<sup>3</sup> This replaced a previous supplementary agreement relating to fox furs, signed on December 30, 1939.<sup>4</sup> Chile was dropped off the Trade Agreements Calendar of January 5, 1943.17. *Congressional Record*, Senate, August 22, 1935, pp. 14044-45, for text of the convention, and communications from the President and the Secretary of State.

18. Remarks of President Roosevelt at a luncheon given for him by President Justo,

- Buenos Aires, December 2, 1936. Department of State *Press Releases*, XV, No. 375 (December 5, 1936).
19. Thomas G. Hull, *Diseases Transmitted from Animals to Men* (Baltimore, 1930), 53-59. The disease is communicable to man to whom it is not usually fatal.
  20. Taking the year 1940 as the base.
  21. All of these were balanced off successfully in the negotiation against the unique preference which the United States allowed to Cuba.  
For text of agreement and supplementary notes, see Department of State *Bulletin*, V, No. 121A (October 18, 1941, Supplement).
  22. Effect of Trade Agreement Reductions on Tariff Levels in the United States, United States Tariff Commission, Washington, D. C., June, 1942. The computations were based on trade statistics for 1939 but reflect all trade agreement reductions through May 1, 1942.
  23. These represent four full years between the initiation of the New Reciprocity, with its first agreement, with Cuba in 1934, and the outbreak of the European War in 1939 which so deranged normal commerce.
  24. This statement is based upon a detailed statistical analysis, too elaborate to reproduce here, made by Dr. John H. Adler for the Yale Institute of International Studies, which may be seen upon application.
  25. Nos. XLIV and XLVI of the Final Act.
  26. No. II of the Final Act. *International Conferences of American States, First Supplement*, 1933-1940, *op. cit.*, 172, 175, 232.
  27. No. III of the Final Act.
  28. No. XXV of the Final Act.
  29. Reservation of the Delegation of the United States of America to Resolutions VII and XIV. See below, note 34.
  30. "(1) The principle of non-discrimination in international commercial relations.  
"(2) The principle of international economic cooperation and abolition of extreme nationalism as expressed in excessive trade restrictions.  
"(3) The principle of non-discriminatory access by all nations to raw material supplies.  
"(4) The principle of full protection of the interests of consuming countries and populations as regards the operation of international commodity agreements.  
"(5) The principle of establishment of such institutions and arrangements of international finance as may lend aid to the essential enterprises and the continuous development of all countries and may permit payments through processes of trade consonant with the welfare of all countries."  
"Outline of Proposed Basis for Agreement between the United States and Japan." Department of State *Bulletin*, V, No. 129 (December 13, 1941), 461-70.
  31. Italics inserted.
  32. Department of State *Bulletin*, VI, No. 140 (February 28, 1942), p. 192.
  33. *Report to Congress on Lend-Lease Operations for the Year Ended March 11, 1942*. Transmitted by the President, March 11, 1942. Washington, 1942. See pp. 31-35.
  34. See the reservation of the United States delegation to Resolutions VII (for Pan American commercial preferences to be reserved in making commercial and customs agreements with non-American powers) and XIV (for special preferences reserved for inland counties of [South] America, to be exempt from unconditional most-favored-nation agreements) at the Third Meeting of the Foreign Ministers of the American Republics at Rio de Janeiro, as "inconsistent with the traditional policy of liberal principles of international trade maintained by the United States of America and as enunciated and reaffirmed at the recent

International Conferences of American States and the First and Second Meetings of the Ministers of Foreign Affairs of the American Republics." *International Conciliation*, No. 378 (March, 1942), p. 143.

35. U. S. Tariff Commission. *The Foreign Trade of Latin America*, Part II (Washington, 1940-1941).

## CHAPTER XVIII

1. See Henry Grattan Doyle's "Cultural Elements in Inter-American Understanding," *Modern Language Journal*, XXII (May, 1938), 641-46, and other articles referred to therein.
2. William Spence Robertson has an excellent chapter on educational contacts in his pioneer appraisal of *Hispanic American Relations with the United States*. Carnegie Endowment for International Peace, New York, 1923.
3. *The Course of American Democratic Thought*, New York, 1940, p. 37.
4. Rockefeller amassed \$900,000,000; when he died he left \$23,000,000. Carnegie made \$500,000,000, left \$25,000,000. Both men spent their later years organizing their humane philanthropy as carefully as they had built up their money-making businesses. They were precursors of others. At the very time when United States imperialism was at its height these North American philanthropists were laying their plans to devote their vast fortunes to a global philanthropy to better human life and spirit everywhere. Two notable biographies summarize the life and works of these men: Burton J. Hendrick, *Life of Andrew Carnegie*, 2 vols., Garden City, 1932, and Allan Nevins, *John D. Rockefeller, the Heroic Age of American Enterprise*, 2 vols., New York, 1940.
5. Statement from the Rockefeller Foundation, June 5, 1942.
6. Professor J. Fred Rippey has presented a précis of their work in his instructive article on "Latin-American Literary Yankeeophobia," *op. cit.*
7. Translated into English by Catherine A. Phillips and published in New York in 1925 under the title, *The Destiny of a Continent*, with an informing introduction by J. Fred Rippey.
8. Another similar work, among many, written at about the same time, was Isidro Fabela, *Los Estados Unidos contra la libertad*, Mexico, D. F., no date.
9. The Fourth International Conference of American States, at Buenos Aires in 1910, resolved that Andrew Carnegie "deserves the gratitude of the American Republics" and ordered a medal to be struck in homage to him: on the obverse, "The American Republics to Andrew Carnegie," on the reverse, "Benefactor of Humanity."
10. Warren H. Kelchner, *The Development of the Pan American Union*. Pan American Union. History Series, No. 2. Washington, 1930.
11. For a list of these special technical Pan American conferences and congresses, with synopses of their actions, and bibliography, see *The International Conferences of American States, First Supplement*, 1933-1940, *op. cit.*, pp. 381-452.
12. See *ibid.*, 453-94, for full list of continuing Pan American commissions and other bodies, and synopses of their activities.
13. One was granted as early as 1917, one in 1930, two in 1931, one in 1932. Since 1937 they have been much more numerous.
14. The first of these was established in Latin America in 1930. By 1942 there were 82 such clubs in the various republics south of the Rio Grande.
15. From 1917-1926 it published a bilingual monthly periodical *Inter-America*; and from 1914-1924 the *Bulletins* of the inter-American section.

16. See the *Summary of Organization and Work, 1911-1941*. Further details are in the annual *Yearbooks*, *op. cit.*
17. The Guggenheim Foundation began in 1936 to grant fellowships to Latin American scholars for higher studies in the United States.
18. "The United States was convinced that the maintenance of peace requires not only the existence of machinery for the settlement of international disputes but also the existence of a will to use that machinery. It was believed that the promotion of cultural relationships was one of the most practical means of developing in the American Republics a public opinion which would favor and support a rule of peace throughout the Western Hemisphere." *Report of the Delegation of the United States of America to the Inter-American Conference for the Maintenance of Peace, Buenos Aires, Argentina, December 1-23, 1936*, Washington, 1936, p. 34.
19. *Conferencia inter-Americana de Consolidación de la Paz, Diario de sesiones, op. cit.*, 531-650.
20. In several countries cultural institutes had originated spontaneously from friendly association of local citizens and resident nationals of the United States such as the *Instituto Cultural Argentino-Norteamericano* (founded 1927), and the *Instituto Cultural Peruano-Norteamericano* (founded 1938). Since then similar *institutos* have been established with the cooperation of the Department of State in Santiago de Chile, Córdoba, Rio de Janeiro, São Paulo, Porto Alegre, Florianópolis, Bogotá, Tegucigalpa, Montevideo, and Caracas.

Chile has a law requiring all such cultural institutes to be organized under the Chilean Institute for Intellectual Cooperation. Thus the Chilean Government can exercise any desired superintendence over activities. The United States, quite in contrast to Germany, has cooperated with this law, and has supported the Chilean movement for an inter-American affiliation of such bilateral intellectual cooperation, which resulted in a meeting at Santiago in 1939 of the First American Congress of National Committees on Intellectual Cooperation.

21. "To revise the textbooks adopted for instruction in their respective countries, with the object of eliminating from them whatever might tend to arouse in the immature mind of youth aversion to any American country," and to found an "Institute for the Teaching of History" at Buenos Aires.

The teaching of history has always been a most sensitive point in education in the United States, and its control subject to wide and sometimes grotesque variations in the several states of the Union, which retain exclusive control. For many years after the Civil War of 1861-65 the southern and northern States could not agree upon texts of United States history, and publishers sometimes got out different editions of the same book for the North and the South! In more recent years anti-British elements attacked certain reputable textbooks as unpatriotic and occasionally succeeded in some States in having them removed from the schools. Still more recently, official local committees discarded texts as being socially too radical. Bessie Louise Pierce has reviewed carefully this thorny subject of *Citizens' Organizations and the Civic Training of Youth*, in *Report of the Commission on the Social Studies*, Part III, New York, 1933.

22. The convention provided that each party should provide lists or panels of students and professors available for exchange, from which the receiving party would make selection. This involved, on the part of the United States Government, no more than inviting universities and college authorities to send in the lists, and provide the necessary funds.
23. The original United States proposal placed the expenses of visiting professors on the receiving state. The Conference adopted a most sensible provision of the

Chilean draft which made the sending state responsible for all expenses. For obvious reasons it would have been most awkward for a visiting professor to depend upon the receiving state for his expenses, so variegated are the financial customs of the different republics.

24. Ben M. Cherrington, "The Role of Education in International Cultural Relations," July 6, 1939. Department of State Publication No. 1369, Inter-American Series, 17.
25. The Lima Conference passed the following resolution (XCIX) on the Progress of Intellectual Cooperation in the Americas, which cannot but be flattering to the United States:  
"Resolves:  
(1) To note, with great satisfaction, the active interest shown by the Governments in the creation of efficient agencies for intellectual cooperation since the Inter-American Conference for the Maintenance of Peace, as revealed by the existence of National Committees in thirteen countries and of bureaus, divisions, and special services with similar functions in the Ministries for Foreign Affairs of various republics.  
(2) To stimulate the interest shown in directing their activities toward the greatest progress in cultural interchange in the Americas, the activities of the Carnegie Institution, the Carnegie Endowment for International Peace, the Rockefeller Foundation, the Guggenheim Foundation, the Institute of International Education, the Pan American Bibliographic and Library Association, the Inter-American Federation of Education, the Pan American Medical Association, the Pan American Odontological Association, the Committee of Cooperation in Latin America, and other private organizations, in various countries of the Continent, whose complete enumeration would be too extensive.  
(3) To express its pleasure for the establishment of the "Mary Moors Cabot" prizes, to be awarded by Columbia University to those journalists of American countries who most distinguish themselves in the service of inter-American cordiality.  
(4) To suggest to the larger commercial organizations engaged in business in various American countries the establishment of scholarships and the granting of facilities to distinguished students, as is now being done by W. R. Grace & Company and Pan American Airways.  
(Approved December 24, 1938.) *International Conferences of American States, First Supplement, 1933-1940, op. cit.*, p. 301.
26. Charles Carroll Griffin, of Vassar College, to Venezuela.
27. Miss Dorothy M. Field, of Phillips, Maine, who was already studying in Chile as a graduate student; and Messrs. Eugenio Salazar and Leopoldo Sequel, who were already studying in the United States.
28. This enumeration is taken from a candid and detailed summary of *The Program of the Department of State in Cultural Relations*, as explained to the subcommittee of the committee on appropriations of the House of Representatives, 77th Cong., 2d Sess. on Department of State appropriation bill for 1943. See State Department Publication 1702, Inter-American Series 21. The most recent official exposition is Charles A. Thomson's description of "The Cultural Basis of Inter-American Solidarity," in *Cultural Bases of Understanding*, Papers read at a Conference on Latin American Culture sponsored by the University of Texas, Austin, Texas, 1942.
29. In 1926 the Rockefeller Foundation began a series of substantial grants to individual institutions in the United States and Latin America for work on projects in social science and the humanities relating to Latin America.

30. For articles on Latin American design in North American use, see *House and Garden*, May, 1941, April, 1942; *House Beautiful*, June, 1942; *New York Times Magazine*, May 3, 1942.
31. In 1942 there were fifty separate offices in nineteen federal agencies performing functions directly connected with Latin American affairs, including those administering the Panama Canal Zone and Puerto Rico; and in addition the United States participated officially in forty international organizations in the field of inter-American relations. These are tentatively listed in an unpublished memorandum prepared in the office of the National Archives, which was interested in the ultimate deposit of their papers. The best survey of recent coordination of inter-American cultural relations, focused on the year 1941, is by William Rex Crawford, in *Inter-American Affairs*, 1941, an Annual Survey, No. 1, Arthur P. Whitaker, Editor, Columbia University Press, 1942. The same publication also contains a valuable section on Public Health, Social Welfare and Labor, by William L. Schurz.
32. At first this office went by the inept official designation of Coordinator of Inter-American Commercial and Cultural Relations.
33. For quotations from visitors from various Latin American states after returning home, see *Program in Cultural Relations*, *op. cit.*, pp. 4-5.

## CHAPTER XIX

1. Amidst a considerable literature on the technical aspects and details of this subject, see three successive summaries prepared for the Council on Foreign Relations: James W. Angell, *Financial Foreign Policy of the United States*, New York, 1933; Benjamin H. Williams, *Foreign Loan Policy of the United States since 1933*, New York, 1939; Willy Feuerlein and Elizabeth Hannan, *Dollars in Latin America*, New York, 1941. More spectacular is Max Winkler's sympathetic and witty work on *Foreign Bonds, an Autopsy*, Philadelphia, 1933. John T. Madden, Marcus Nadler, and Harry Sauvain prepared a dispassionate study of *America's Experience as a Creditor Nation*, New York, 1937.
2. For the collapse of the United States position as a creditor nation see *Diplomatic History of the United States*, 2d edition, 1942, pp. 750-53.
3. "The bankers, after having taken their profits, ceased to concern themselves and went about their ordinary business." Secretary of State Cordell Hull, speaking to the Montevideo Conference, December 5, 1933, *Seventh International Conference of American States, Minutes and Antecedents*, *op. cit.*, C. IX, p. 162.
4. The author hopes it is not impertinent for him to say, in the interests of objectivity, that he has never owned, and has never been aware of being related to anyone who has ever owned, a defaulted foreign dollar bond, and that similarly he has never had any interest in direct investments in Latin America.
5. Dwight W. Morrow, "Who Buys Foreign Bonds?" *Foreign Affairs*, V (January, 1927), 219-32. See also Securities and Exchange Commission, *Report of the Study and Investigation of the Work, Activities, Personnel and Functions of Protective and Reorganization Committees, Part V, Protective Committees and Agencies for Holders of Defaulted Foreign Governmental Bonds*, Washington, D. C., 1937, pp. 6-7. Hereinafter cited as *SEC Report on Protective Committees*.
6. See *Report of the Committee on Banking and Currency on Stock Exchange Practices*, 73d Congress, 2d Sess., Senate Report No. 1455, Washington, 1934, pp. 125-45.



7. Madden, Nadler, and Sauvain, *America's Experiences as a Creditor Nation*, *op. cit.*, p. 70.
8. Feuerlein and Hannan, *Dollars in Latin America*, *op. cit.*, p. 16.
9. Edwin M. Borchard, "International Loans and International Law," *Proceedings American Society of International Law*, April 28-30, 1932.
10. *SEC Report on Protective Committees*, V, 18.
11. To this end the Department of State issued a public statement, March 3, 1922, requesting but not requiring bankers to consult with it before underwriting loans to foreign governments. It is conveniently printed in Benjamin H. Williams, *Economic Foreign Policy of the United States*, New York, 1928, pp. 87-8.
12. The formula varied slightly from time to time. See the lengthy Statement of Secretary of State Stimson, of January 7, 1932, printed in appendix to Max Winkler, *Foreign Bonds, an Autopsy*, Philadelphia, 1933, pp. 163-72.
13. So described by Senator Pat Harrison, member of the Committee, who declared that at first "no one thought much would be gained from the investigation." *Congressional Record*, March 15, 1932, Senate, p. 6062.
14. For voluminous and most revealing testimony about the issue and sale of these foreign dollar bonds, see the four volumes on *Sales of Foreign Bonds or Securities in the United States*, consisting of hearings before the Committee on Finance, United States Senate, 72d Congress, 1st Session, pursuant to Senate Resolution 19 introduced by Senator Johnson, December 10, 1930, held December 18, 19, 21, 1931, January 4-15, January 27, and February 10, 1932. Washington, 1932.  
 Basing his remarks on these hearings, Senator Johnson delivered a formidable indictment of the bankers responsible for the loans, giving names of the firms and particulars of loans; and of the Government policy which put nothing in their way, in a speech in the Senate, March 15, 1932. *Congressional Record*, Senate, pp. 6052-6062.
15. Certain provinces (Buenos Aires, Córdoba, Mendoza, Santa Fe) of Argentina, and the city of Córdoba, temporarily defaulted, but succeeded in converting their bonds and arrears of interest into new issues at lower rates of interest. The City of Córdoba was still in default on sinking fund in 1939. The Argentine Government stood behind such provincial bonds as it had guaranteed, and, through the Foreign Bondholders Protective Council, succeeded in arranging conversions into new bonds at radically lower rates of interest. See *Foreign Bondholders Protective Council, Annual Report*, 1939, New York, 1940. One should compare the complete repudiation of certain of the states of the United States, in the nineteenth century, described in Reginald C. McGrane's study of *Foreign Bondholders and American State Debts*, New York, 1935. These were never guaranteed, however, by the Government of the United States.
16. "The Department [of State] has consistently taken the position that settlement of the questions arising out of default in debt service by foreign governmental entities may best be obtained through direct negotiations of the bondholders or their representatives with the entities concerned. The Department uses its informal good offices on all appropriate occasions to facilitate such negotiations between the directly interested parties." *SEC Report on Protective Committees*, V, 28, citing *Proceedings before the Securities and Exchange Commission in the Matter of Foreign Bondholders Protective Council, et al.*, Washington, 1935, p. 76.
17. The *SEC Report on Protective Committees*, p. 36, estimated them at forty in number.

18. So described in a statement of an official of the Department of State, in March, 1933, quoted by *ibid.*, pp. 68-9.
19. Department of State *Press Releases*, No. 212 (Saturday, October 21, 1933), pp. 227-30.
20. Memorandum of "An Officer of the State Department," March, 1933, printed in *SEC Report on Protective Committees*, V, 69.
21. Benjamin H. Williams, *Foreign Loan Policy*, *op. cit.*, p. 11, notes that this took place "some time after the Senate Finance Committee Hearings of 1933," but states that "no definite date can be ascribed to this change in policy since no public announcement appears to have been made concerning it."
22. For the text of the Mexican proposal and discussion in the Committee on Initiatives, see *Seventh International Conference of American States*, *op. cit.*, C. IX, 155-85.
23. Resigned March 3, 1933.
24. *SEC Report on Protective Committees*, V, *op. cit.*, pp. 88, 735.  
The Secretary of State and the chairman of the Securities and Exchange Commission announced on July 22, 1937, that they had designated a Board of Visitors to visit the Commission from time to time to examine its income and disbursements. This announcement was not included in the *Press Releases* of the Department at that time, but a summary of the visitations is printed in the *Bulletin*, V, No. 131 (December 27, 1941), 600-02.
25. Since the Council, though sponsored by the Government, was a private nonshareholding corporation, with a co-opting directorate, organized under the laws of the State of Maryland, it would be very difficult for the Federal Government to discontinue it.
26. The Council has recorded its accomplishments in a series of *Annual Reports*, beginning 1934, which are a valuable source for the history of the subject.

## CHAPTER XX

1. Ecuador began to levy *ex post facto* income and other taxes on United States mining companies and British petroleum companies, in conflict with concessions that exempted them from all but stipulated taxes. The *de facto* government of General Enriquez, since repudiated by his disgusted countrymen, in 1938 exiled from the republic native lawyers who attempted to defend the case of the foreign companies "unpatriotically" even before the courts of Ecuador.
2. Particularly heinous was the action of a Bolivian *de facto* government which confiscated the property of the Standard Oil Company of Bolivia, a Bolivian corporation owned by the Standard Oil Company of New Jersey, which had invested a total of \$17,000,000 in developing a concession for which it had contracted in good faith with a preceding constitutional Bolivian Government in 1922. During the course of its operations, in 1925-1926, it supplied a total of 704 tons of oil through two-inch pipe for drilling operations of an affiliated company working just across the Bermejo River in Argentina. Before transferring the oil, the company made appropriate declarations to the Bolivian customs authorities, and received from them declarations of origin, after which it paid customs duties to the Argentine Government. In 1935 the Bolivian *de facto* government raked up this transaction and charged the company with "clandestine exportation" of oil through a secret pipeline in violation of Bolivian law. On this pretext the government of the time confiscated all the company's property with one fell swoop, March 13, 1937. The dictator's government then revised

a statute of limitations so as to make the company appeal to the courts immediately. A packed Supreme Court sustained the validity of the seizure. The *de facto* government did all possible to stir up public opinion to intimidate any Bolivian lawyers from defending the companies even in the packed courts of the country. There could be no clearer case of a denial of justice, both substantive and procedural. So far as has been revealed, the United States made no demand for the arbitration of this grievance. The Standard Oil Company of New Jersey made an agreement with the Bolivian Government on January 27, 1942, by which it sold out all its rights and interests, and those of its subsidiary, the Standard Oil Company of Bolivia, for \$1,500,000 in full settlement. Since the text of this agreement was published in the *Bulletin* of the Department of State, VI, No. 139 (February 21, 1942), one assumes that the Department had a hand in it.

Meanwhile the Bolivian Government had contracted to sell the oil in question to an Argentine state distributor.

For a summary see Feuerlein and Hannan, *op. cit.*, pp. 75-76. The Standard Oil Company of Bolivia has published its side of these happenings in *Confiscation, a History of the Oil Industry in Bolivia*, New York, 1939.

3. Department of State *Bulletin*, V, No. 126 (November 22, 1941).
4. For a more extensive summary of recent relations between the United States and Mexico, arising out of agrarian and petroleum expropriations, see my *Diplomatic History of the United States*, 2d Ed., New York, 1942, from which the above sentence is taken; and more particularly a recent article by Arthur W. MacMahon and W. R. Dittmar, "The Mexican Oil Industry Since Expropriation," *Political Science Quarterly*, LVII, Nos. 1 and 2 (March, June, 1942), 28-51, 161-89.
5. MacMahon and Dittmar, "Mexican Oil Industry Since Expropriation," *op. cit.*, pp. 42-43.
6. The idea of a Pan-American Railway from the United States to Chile and Argentina had elicited the interest of inter-American conferences since 1889, but in recent decades gave way to the concept of a Pan American motor highway. Following a resolution of the Buenos Aires Conference for the Maintenance of Peace, in December, 1936, and sequent recommendations of the Governing Board of the Pan American Union, the United States, Mexico, and Nicaragua appointed a committee of three to make reports on estimated costs and plans for financing. After further consideration by the Third Pan American Highway Congress, the Committee presented a report, February 29, 1940, recommending the creation of a Pan American Highway Finance Authority. Meanwhile links of the road appeared in Mexico and the Central American states. After Pearl Harbor the Congress of the United States appropriated \$20,000,000 to assist the Central American republics to accelerate completion of their links, so valuable for overland communications to Panama. See below, p. 352, and end maps.
7. There is question whether they exceeded the scope of their authority in making their recommendation. It is for the two governments to agree on the manner of payment.
8. New York *Herald Tribune*, July 2, 1942. As this is written (Jan. 1, 1943), it is uncertain how this will affect the obligation of the Mexican Government to pay that \$23,995,991 appraised by the joint decision of April 17, 1942.
9. Above, p. 186.
10. The last report of the Board of Visitors was on May 6, 1941. The operating expenses (mostly salaries and office expenses) of the Council had then dropped to \$54,292.65 for 1940, as compared with \$90,449.18 in 1937. The work of the

Council declined. It had a deficit of \$21,300.85 for 1940, as compared with a surplus of \$37,931.47 the previous year. "The Council is presently dependent for the greater part of its financial support," said the Report of the Visitors, "upon the voluntary contributions which it requests from individual bondholders and from foreign governments after the consummation of particular debt settlements of a permanent character." Apparently contributions from houses of issue not owning bonds had ceased. Department of State *Bulletin*, V, No. 131 (December 27, 1941), 600-02.

11. Address by Assistant Secretary of State Berle, Jr., on "The Economic Interests of the United States in Inter-American Relations," delivered at the Fourth Conference on Canadian American Affairs, Queens University, Kingston, Ontario, Canada, June 24, 1941. Department of State *Bulletin*, IV, No. 105 (June 28, 1941), 756-61. In this highly illuminating statement the Assistant Secretary exposed further particulars of policy.
12. Act of December 26, 1941.
13. See *Press Releases* of Treasury Department, No. 10-78, July 16, 1937; No. 23-5, December 27, 1940; No. 28-56 of November 19, 1941.

## CHAPTER XXI

1. "Unbelievable as it might seem, an American Foreign Minister had made himself master of the esteem and respect of Latin America beyond any other personality there." A. A. Berle, Jr., himself a delegate plenipotentiary, "After Lima," *Yale Review*, Spring, 1939, pp. 449-71.
2. That is, the opening address following the conventional address of welcome by the President of the Conference, the Peruvian Minister of Foreign Affairs, Dr. Carlos Concha.
3. "Our cultural tradition holds an even stronger place in our spirit than the memory of the men [from Europe] who discovered and populated these lands. From Spain came our blood, our religion. From France and Great Britain, as in the case of the United States, came the doctrines of our domestic institutions. If we owe to our mother country the foundations of our literature, French culture contributed to the formation of our intellectual life, as did Italy and Germany to various important features of our evolution. European influence predominates in our higher education, as in general it does also in the structure and methods of our schools.

"All this counts for a great deal in the foreign policy of Argentina, as it does, I am sure, in that of all the Latin peoples of this Continent, just as British interests cannot but be dear to our brothers in the North. . . ." *Octava Conferencia Internacional Americana, Lima, Perú, Diciembre de 1938. Diario de Sesiones*, Lima, 1939, pp. 882-84.

The missionary-journalist, Dr. Samuel Guy Inman, has printed an interview with Dr. Cantilo, following Mr. Hull's speech (quoted in our text) the next day, which afforded an exegesis of Dr. Cantilo's speech by its author. "We differ in this," said the Argentine Minister: "Mr. Hull seems to get his key from what is outside this continent. He expressed his fear of what Europe or Asia with their new ideologies might do to America, so he wants to arm. I say our business is to go forward in building our American life in the American spirit. When a nation from the outside really threatens us, then is the time when we are to take decisive and united action to defend ourselves."

"Doesn't it seem to you, Dr. Cantilo," asked Dr. Inman, "that Chancellor Hitler might be starting off on a second Napoleonic era?"

"No," replied the Minister, "I do not at present see that. . . ." *Annals, op. cit.*, p. 10.

4. The United States delegation was carefully chosen to include major political, social, and even religious constituencies in the United States, thus demonstrating that the Good Neighbor Policy was more than a policy of the existing Administration. The plenipotentiary members of the delegation were: Cordell Hull, Secretary of State; Alfred M. Landon, ex-Governor of Kansas and candidate of the Republican Party in the presidential election of 1936, thus titular head of the Republican Party; Adolf A. Berle, Jr., Assistant Secretary of State; Laurence Steinhardt, Ambassador to Peru; Henry Norweb, Minister to the Dominican Republic, and designated to succeed Ambassador Steinhardt in Peru; Doctor Emilio del Toro Cuevas, President of the Supreme Court of Puerto Rico; Green H. Hackworth, Legal Adviser of the Department of State; the Rev. John F. O'Hara, President of Notre Dame University; Prof. Charles G. Fenwick, Professor of International Law at Bryn Mawr College; Dan W. Tracy, President of the International Federation of Electrical Workers; Mrs. Elise F. Musser, ex-Senator of the State of Utah, a leading feminist; Miss Kathryn Lewis, daughter of Mr. John L. Lewis, President of the Committee of Industrial Organization.
5. The official minutes of the Conference note "*grandes aplausos*" after Dr. Cantilo's speech; after Secretary Hull's "*prolongados aplausos*."
6. The address was prepared before Dr. Cantilo's, and was published December 10, 1938, in the *Press Releases* of the Department of State, XIX, No. 480. All of Secretary Hull's utterances at the Lima Conference, and en route to and from it, are printed in *Addresses and Statements by the Honorable Cordell Hull, Secretary of State of the United States of America, in Connection with the Eighth International Conference of American States Held at Lima, Peru, December 9-27, 1938*, Washington, 1940.
7. There were 112 such expressions voted at this, the Eighth International Conference of American States.
8. The original Argentine draft presented to the Second Commission of the Conference eschewed any reference to the danger of "international wars outside of America," threatening the peace of the American nations, which was so characteristic of the other drafts, and it alluded to the desirability of consultation on other subjects like economic and cultural matters. See *Octava Conferencia Interamericana, op. cit.*, p. 109. The United States draft, prepared by its delegation on the way to the Conference, made specific reference both to threats of force by non-American powers, and to "activities of whatever kind directed by a non-American government with intention to subvert the domestic institutions of an American Republic or to establish therein a non-American system of government," and it proclaimed a common recognition that each of the American republics was "equally concerned," and that each had an "equal responsibility" in resisting such acts and activities. The Brazilian delegation was willing to go even further than the United States in recognizing the need of concerted action: it also proposed that the declaration be extended to include an attack by one American state upon another; in such case consultation was to be initiated by the state whose peace was threatened. See Charles G. Fenwick (one of the United States delegates), "The Monroe Doctrine and the Declaration of Lima," *American Journal of International Law*, XXXIII (1939), 257-68; and Charles

A. Thomson, "Results of the Lima Conference," *Foreign Policy Reports*, XV (March 15, 1939).

The principal concession made by the United States to insure unanimity, particularly to include Argentina, was excision of specific reference to threats from "non-American states," accepting the phrase (which implies peculiar family relationships among the American republics) "all foreign intervention or activity that may threaten them [i.e., the American states]."

9. Section II. "Article 12. Where the sojourn, supplying and provisioning of belligerent ships in the ports and jurisdictional waters of neutrals are concerned, the provisions relative to ships of war shall apply equally:

"1. To ordinary auxiliary ships;

"2. To merchant ships transformed into warships, in accordance with Convention VII of the Hague of 1907. . . .

"3. To armed merchantmen."

10. Section II. "Article 10. Belligerent ships may supply themselves with fuel and stores in neutral ports, under the conditions especially established by the local authority and in case there are no special provisions to that effect, they may supply themselves in the manner prescribed for provisioning them in time of peace.

"Article 11. Warships which obtain fuel in a neutral port cannot renew their supply in the same State until a period of three months has elapsed."

11. The following countries had ratified the Havana Convention on Maritime Neutrality: the United States, Bolivia, Colombia, Ecuador, Haiti, Nicaragua, Panama, the Dominican Republic. Colombia had not yet deposited its ratification as required. The United States attached a reservation to Section II, Article 12, assimilating armed merchant ships to the status of warships, so it was not bound by that.
12. For a more detailed analysis of the Third Collapse of American Neutrality, see *Diplomatic History of the United States*, 2d edition, 1942, pp. 847-63.
13. Brazil (September 2, 1939), Venezuela (September 12, 1939), Chile (October 3, 1939), Mexico (October 5, 1939), Dominican Republic (October 18, 1939), Panama (November 6, 1939), Honduras (November 13, 1939), Ecuador (March 27, 1940), Cuba (June 17, 1940), Guatemala (June 17, 1940), Uruguay (June 19, 1940), El Salvador (June 25, 1940), Argentina (May 13, 1941), Peru (June 27, 1941), Colombia (October 7, 1941). Of the maritime states this left only Costa Rica, Nicaragua, and Haiti, who had not issued such decrees by July 16, 1942. They went to war with the members of the Tripartite Pact in December, 1941.
14. See the publication of the Pan American Union, *Decrees and Regulations on Neutrality, Transmitted to the Pan American Union by the Member Governments Pursuant to Resolution I of the Meeting of the Ministers of Foreign Affairs of the American Republics Held at Panama from September 23 to October 3, 1939*, Pan American Union, Washington, D. C., with successive supplements.
15. It further declared that they [the signatories] did not consider contrary to neutrality the granting of credits by a neutral state to belligerents for the acquisition of "raw materials, plant or animal," "whenever permitted by the domestic legislation of the neutral countries." The purpose of this apparently was to sanction the principle of neutral credits, even neutral *state* credits, to belligerent governments for the purchase of foodstuffs and clothing intended for civilian population—a principle cherished by the Argentine Government and possibly by the executive branch of the Government of the United States, certainly under the preceding Hoover Administration.

16. A project, of Colombian and Dominican origin, for such an organization, is due to come up in the Ninth International Conference of American States originally scheduled to meet at Bogotá in 1943.
17. The complete text of the Final Act of Panama is published in the Department of State *Bulletin*, I, No. 15 (October 7, 1939). The italics are introduced in quotation in our text.

## CHAPTER XXII

1. For the resolution and notes, and statement of Secretary Hull of July 5, 1940, see Jones and Myers, *Documents on American Foreign Relations*, *op. cit.*, II (1939-1940), 86-96.
2. Department of State *Bulletin*, IV, No. 89 (March 8, 1941), and VI, No. 134 (January 17, 1942).
3. Third Report of the President to Congress on Operations under the Lend-Lease Act of March 11, 1941. 77th Cong., 1 Sess., Sen. Doc. 149.
4. On September 11, 1942, lend-lease agreements had not been concluded with Argentina and Chile in Latin America. *Seventh Report to Congress on Lend-Lease Operations* by the President, December 11, 1942.
5. Circular Instruction by the Secretary of State to Diplomatic Missions in the American Republics, September 6, 1940. *Documents on American Foreign Relations*, *op. cit.*, III (1940-1941), 214-15.
6. Agreement [with the Danish Minister at Washington] Relating to the Defense of Greenland, Washington, April 9, 1941. *Documents on American Foreign Relations*, III (1940, 1941), 232-35. The German-controlled Danish Government repudiated the Minister and his unauthorized agreement, but the United States continued to recognize him.

In July, 1941, the United States landed troops in Iceland, jointly with British forces, in order "to ensure the safety of the Western Hemisphere." As Iceland has not been positively considered by the United States to be a part of the Western Hemisphere, the Act of Havana was not specifically invoked, but in the exchange of letters between President Roosevelt and the Prime Minister of Iceland agreeing to the occupation, under recognition of Iceland's complete independence and promise of withdrawal after the war, the President declared (to the Prime Minister of Iceland) that he was communicating the statement to all the other "Nations of the Western Hemisphere" for their information. Department of State *Bulletin*, V, No. 107 (July 12, 1941), p. 18.

7. For attitude of the Latin American governments, see Department of State *Bulletin*, V, Nos. 129, 130, 131 (December 13, 20, 27, 1941).
8. Peru made a reservation holding this to be outside the agenda of the Meeting, which concerned only "dangers from without the continent."
9. Peru entered a reservation that she understood measures for the requisition of unmobilized merchant ships "or those of a non-American enemy state" meant only those of a non-American enemy state.
10. Guatemala reserved all its rights vis-à-vis Belize (British Honduras).
11. The United States entered a reservation to this as in conflict with the New Reciprocity. See above, Chapter XVII, p. 312, note 34.
12. An Inter-American Conference on Systems of Economic and Financial Control, held at Washington, in the Pan American Union, June 30-July 10, 1942, and attended by delegates from all twenty-one republics, agreed upon detailed specific measures for severance of commercial and financial relations, which it

- recommended* to the governments of the American republics. A multigraphed copy of the Final Act is available at the Pan American Union.
13. For text of the Final Act of the Meeting, see "Third Meeting of Ministers of Foreign Affairs of the American Republics, Rio de Janeiro, Brazil, January 15-28, 1942, with introduction by the Honorable Sumner Welles, *International Conciliation*, No. 378, March, 1942. Secretary of State Hull, engrossed with other vital business, did not represent the United States at either the First or Third Meeting of Foreign Ministers. He appointed a deputy, as provided by the Declaration of Lima, the Undersecretary of State, Mr. Sumner Welles. Mr. Hull represented the United States at the Havana meeting.
  14. In an historical interpretation of this scope one cannot go in detail into the multifarious expressions of inter-American collaboration that followed, and indeed preceded, the Rio de Janeiro Meeting of Foreign Ministers. Two useful summaries have appeared: John C. DeWilde, "War Time Economic Cooperation in the Americas," *Foreign Policy Reports*, XVII, No. 23 (February 15, 1942), Foreign Policy Association, Inc., New York; and David H. Popper, "Hemispheric Solidarity in the War Crisis," *Ibid.*, XVIII, No. 5 (May 15, 1942).
  15. A. P. Whitaker, *Inter-American Affairs*, 1941, *op. cit.*, p. 50.
  16. "As a result of the reports on Allied ship movements sent by these agents, Brazilian, Cuban, Mexican, Colombian, Dominican, Uruguayan, Argentine, Chilean, Panamanian, and United States ships have been sunk without warning while plying between the American republics, and as a result many nationals of these countries have lost their lives within the waters of the Western Hemisphere. But I cannot believe that these 2 republics will continue long to permit their brothers and neighbors of the Americas, engaged as they are in a life-and-death struggle to preserve the liberties and the integrity of the New World, to be stabbed in the back by Axis emissaries operating in the territory and under the free institutions of these 2 republics of the Western Hemisphere." Public Address of Acting Secretary of State Sumner Welles in Boston, October 8, 1942. Department of State *Bulletin*, VII, No. 172 (October 10, 1942).
  17. New York *Herald Tribune*, October 13, 1942.
  18. *Ibid.*, November 2, 1942.
  19. The best and only scholarly account of the place of these islands in the diplomatic history of the United States is by E. Taylor Parks and J. Fred Rippy, "The Galápagos Islands, a Neglected Phase of American Strategy Diplomacy," *Pacific Historical Review*, IX (March, 1940), 37-45. The subject cannot at present be pursued in official archives beyond the year 1906.





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